S T A T E O F N E W Y O R K

3101

2011-2012 Regular Sessions

I N A S S E M B L Y

January 24, 2011

Introduced by M. of A. TEDISCO -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to creating the crime of aggravated harassment of a public service answering point

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The penal law is amended by adding a new section 240.33 to read as follows:

S 240.33 AGGRAVATED HARASSMENT OF A PUBLIC SERVICE ANSWERING POINT.

1. A PERSON IS GUILTY OF AGGRAVATED HARASSMENT OF A PUBLIC SERVICE ANSWERING POINT WHEN HE OR SHE INTENTIONALLY MAKES A TELEPHONE CALL, WHETHER OR NOT A CONVERSATION ENSUES, WITH NO PURPOSE OF LEGITIMATE COMMUNICATION.

2. FOR THE PURPOSE OF THIS SECTION, "PUBLIC SERVICE ANSWERING POINT" MEANS A COMMUNICATION FACILITY WHICH FIRST RECEIVES 911 CALLS FROM PERSONS WITHIN A 911 SERVICE AREA AND WHICH MAY, AS APPROPRIATE, DIRECTLY DISPATCH THE SERVICES OF A PUBLIC SAFETY AGENCY OR EXTEND, TRANSFER, RELAY OR OTHERWISE ROUTE 911 CALLS TO THE APPROPRIATE PUBLIC SAFETY AGENCY.

AGGRAVATED HARASSMENT OF A PUBLIC SERVICE ANSWERING POINT IS A CLASS E FELONY.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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