

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

2066--A

2011-2012 Regular Sessions

I N A S S E M B L Y

January 13, 2011

Introduced by M. of A. M. MILLER, WEISENBERG, COLTON, CASTRO, SCARBOROUGH, BURLING -- Multi-Sponsored by -- M. of A. BARCLAY, CROUCH, HOOPER, McENENY -- read once and referred to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to including the use of a governmental agency to harass a person within the crime of harassment in the first degree

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

1 Section 1. Section 240.25 of the penal law, as amended by chapter 109
2 of the laws of 1994, is amended to read as follows:
3 S 240.25 Harassment in the first degree.
4 A person is guilty of harassment in the first degree when he or she
5 [intentionally]:
6 1. INTENTIONALLY and repeatedly harasses another person by following
7 such person in or about a public place or places or by engaging in a
8 course of conduct or by repeatedly committing acts which places such
9 person in reasonable fear of physical injury. This section shall not
10 apply to activities regulated by the national labor relations act, as
11 amended, the railway labor act, as amended, or the federal employment
12 labor management act, as amended; OR
13 2. EITHER (A) UNLAWFULLY DISCLOSES CONFIDENTIAL INFORMATION CONCERN-
14 ING THE PERSON HE OR SHE INTENDS TO HARASS, ANNOY, THREATEN, OR ALARM
15 WHICH HE OR SHE OBTAINED FROM A GOVERNMENT AGENCY OR ANY POLITICAL
16 SUBDIVISION OF THE STATE OR MUNICIPALITY, IN A MANNER LIKELY TO CAUSE
17 ANNOYANCE OR ALARM; OR (B) UNLAWFULLY CAUSES PERSONNEL EMPLOYED BY A
18 GOVERNMENTAL AGENCY OR ANY POLITICAL SUBDIVISION OF THE STATE OR MUNICI-
19 PALITY TO CONTACT OR INTERACT WITH THE PERSON HE OR SHE INTENDS TO

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

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1 HARASS, ANNOY, THREATEN, OR ALARM IN AN OFFICIAL CAPACITY, IN A MANNER
2 LIKELY TO CAUSE ANNOYANCE OR ALARM.
3 Harassment in the first degree is a class B misdemeanor.
4 S 2. This act shall take effect on the first of November next succeed-
5 ing the date on which it shall have become a law.