STATE OF NEW YORK

1199--A

Cal. No. 653

2017-2018 Regular Sessions

IN SENATE

January 6, 2017

Introduced by Sen. PERSAUD -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the penal law, in relation to impersonating another by using another's electronic signature

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivisions 3 and 4 of section 190.25 of the penal law, subdivision 3 as amended by chapter 27 of the laws of 1980 and subdivision 4 as added by chapter 304 of the laws of 2008, are amended and a new subdivision 5 is added to read as follows:

3. (a) Pretends to be a public servant, or wears or displays without authority any uniform, badge, insignia or facsimile thereof by which such public servant is lawfully distinguished, or falsely expresses by his words or actions that he is a public servant or is acting with approval or authority of a public agency or department; and (b) so acts with intent to induce another to submit to such pretended official authority, to solicit funds or to otherwise cause another to act in reliance upon that pretense[~~.~~]**; or**

4. Impersonates another by communication by internet website or electronic means with intent to obtain a benefit or injure or defraud another, or by such communication pretends to be a public servant in order to induce another to submit to such authority or act in reliance on such pretense[~~.~~]**; or**

5. Impersonates another person, without such other person's permission, by using the other person's electronic signature with intent to obtain a benefit or injure or defraud the other person or another person. For the purposes of this subdivision, electronic signature shall have the same meaning as set forth in subdivision three of section three hundred two of the state technology law.

§ 2. This act shall take effect immediately.

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

LBD02135-02-7