

STATE OF NEW YORK

605

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sens. GALLIVAN, HELMING -- read twice and ordered printed,
and when printed to be committed to the Committee on Veterans, Home-
land Security and Military Affairs

AN ACT to amend the penal law, in relation to establishing the crime of
making a terroristic threat against a police officer

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

1 Section 1. The penal law is amended by adding a new section 490.21 to
2 read as follows:

3 § 490.21 Making a terroristic threat against a police officer.

4 1. A person is guilty of making a terroristic threat against a police
5 officer when with intent to intimidate or coerce a civilian population,
6 influence the policy of a unit of government by intimidation or coer-
7 cion, or affect the conduct of a unit of government by murder, assassi-
8 nation or kidnapping, he or she threatens to commit or cause to be
9 committed a specified offense against a police officer and thereby caus-
10 es a reasonable expectation or fear of the imminent commission of such
11 offense against a police officer.

12 2. It shall be no defense to a prosecution pursuant to this section
13 that the defendant did not have the intent or capability of committing
14 the specified offense or that the threat was not made to a person who
15 was a subject thereof.

16 Making a terroristic threat against a police officer is a class C
17 felony.

18 § 2. This act shall take effect on the first of November next succeed-
19 ing 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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