

STATE OF NEW YORK

6343

2019-2020 Regular Sessions

IN ASSEMBLY

March 6, 2019

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

AN ACT to amend the penal law, in relation to establishing the crime of falsely reporting a hate crime as a class E felony

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

1 Section 1. The penal law is amended by adding a new section 240.49 to
2 read as follows:

3 § 240.49 Falsely reporting a hate crime.

4 A person is guilty of falsely reporting a hate crime, as defined in
5 section 485.05 of this chapter, when, knowing the information reported,
6 conveyed or circulated to be false or baseless, he or she:

7 1. Initiates or circulates a false report or warning of an alleged
8 occurrence or impending occurrence of a hate crime under circumstances
9 in which it is not unlikely that public alarm or inconvenience will
10 result; or

11 2. Reports, by word or action, to an official or quasi-official agency
12 or organization having the function of dealing with emergencies involv-
13 ing danger to life or property, an alleged occurrence or impending
14 occurrence of a hate crime which did not in fact occur or is not about
15 to occur; or

16 3. Gratuitously reports to a law enforcement officer or agency: (a)
17 the alleged occurrence of a hate crime which did not in fact occur; or
18 (b) an allegedly impending occurrence of a hate crime which in fact is
19 not about to occur; or (c) false information relating to a hate crime or
20 to the alleged implication of some person therein.

21 Falsely reporting a hate crime is a class E felony.

22 § 2. This act shall take effect on the first of November next succeed-
23 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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