STATE OF NEW YORK

1273

2019-2020 Regular Sessions

IN SENATE

January 11, 2019

Introduced by Sen. FUNKE -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to establishing the crime of unlawful broadcast of criminal activity

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 two new sections 245.15 and 245.20 to read as follows:

§ 245.15 Unlawful broadcast of criminal activity in the second degree.

1. A person is guilty of unlawful broadcast of criminal activity in the second degree when he or she, during the commission of any acts constituting any felony offense, or acting as an accomplice to such offense, or acting as an agent to the person who commits such offense, broadcasts or causes to be broadcast or disseminated live video of such acts on any media format.

2. For the purposes of this section and section 245.20 of this article:

(a) "Broadcast" means electronically transmitting a visual image with the intent that it be viewed by a person.

(b) "Disseminate" means to give, provide, lend, deliver, mail, send, forward, transfer or transmit, electronically or otherwise to another person.

Unlawful broadcast of criminal activity in the second degree is a class E felony.

§ 245.20 Unlawful broadcast of criminal activity in the first degree.

1. A person is guilty of unlawful broadcast of criminal activity in the first degree when he or she, during the commission of any acts constituting a violent felony offense as defined in section 70.02 of this chapter, or acting as an accomplice to such offense, or acting as an agent to the person who commits such offense, broadcasts or causes to

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

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be broadcast or disseminated live video of such acts on any media format.

Unlawful broadcast of criminal activity in the first degree is a class D felony.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.