

STATE OF NEW YORK

654

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sens. BOYLE, SAVINO, SEWARD -- 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 criminalizing the filming of a violent crime

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 three new sections
2 235.25, 235.26 and 235.27 to read as follows:

3 § 235.25 Recording a video of the commission of a violent felony; defi-
4 nitions of terms.

5 For the purposes of sections 235.26 and 235.27, of this article the
6 term "violent felony" means any offense described in section 70.02 of
7 this chapter.

8 § 235.26 Recording a video of the commission of a violent felony.

9 A person is guilty of recording a video of the commission of a violent
10 felony when he or she:

11 1. wilfully records a video of the commission of a violent felony with
12 intent to promote or encourage the commission of the underlying violent
13 felony; or

14 2. conspires with another to record a video of the commission of a
15 violent felony with intent to promote or encourage the commission of the
16 underlying violent felony.

17 Recording a video of the commission of a violent felony is a class E
18 felony.

19 § 235.27 Recording a video of the commission of a violent felony; limi-
20 tations.

21 Submission of the video described in section 235.26 of this article by
22 the person recording the video to law enforcement at the first reason-
23 able opportunity may be considered as evidence that the person lacked

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

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1 the intent to promote or encourage the commission of the underlying
2 violent felony.

3 § 2. This act shall take effect on the first of November next succeed-
4 ing the date on which it shall become a law.