AN ACT to amend the penal law, in relation to making the falsification of COVID-19 vaccination records a crime

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

1  Section 1.  Subdivision 1 of section 170.00 of the penal law, as amended by chapter 514 of the laws of 1986, is amended to read as follows:

4 1. "Written instrument" means any instrument or article, including computer data or a computer program, containing written or printed matter or the equivalent thereof, used for the purpose of reciting, embodying, conveying or recording information, or constituting a symbol or evidence of value, right, privilege or identification, which is capable of being used to the advantage or disadvantage of some person. For the purposes of this article, a card provided to a person by a vaccine provider indicating the date a person received a vaccination against COVID-19, the type of vaccine and its lot number, and bearing a governmental logo or other indication that it is created by a governmental instrumentality, shall be considered a written instrument.

5  § 2.  Subdivision 4 and the closing paragraph of section 156.25 of the penal law, as amended by chapter 89 of the laws of 1993, are amended and a new subdivision 5 is added to read as follows:

4 4. he intentionally alters in any manner or destroys computer data or a computer program so as to cause damages in an aggregate amount exceeding one thousand dollars[[-]]: or

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

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5. he intentionally alters in any manner or destroys computer material indicating that a person did or did not receive a vaccination against COVID-19.

Computer tampering in the third degree is a class E felony.

§ 3. This act shall take effect immediately.