

# STATE OF NEW YORK

9132

## IN ASSEMBLY

January 31, 2022

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

AN ACT to amend the penal law, in relation to including certain use of Bluetooth technology to follow a person in the crime of stalking in the fourth degree

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

1 Section 1. Section 120.45 of the penal law, as amended by chapter 184  
2 of the laws of 2014, is amended to read as follows:

3 § 120.45 Stalking in the fourth degree.

4 A person is guilty of stalking in the fourth degree when he or she  
5 intentionally, and for no legitimate purpose, engages in a course of  
6 conduct directed at a specific person, and knows or reasonably should  
7 know that such conduct:

8 1. is likely to cause reasonable fear of material harm to the physical  
9 health, safety or property of such person, a member of such person's  
10 immediate family or a third party with whom such person is acquainted;  
11 or

12 2. causes material harm to the mental or emotional health of such  
13 person, where such conduct consists of following, telephoning or initi-  
14 ating communication or contact with such person, a member of such  
15 person's immediate family or a third party with whom such person is  
16 acquainted, and the actor was previously clearly informed to cease that  
17 conduct; or

18 3. is likely to cause such person to reasonably fear that his or her  
19 employment, business or career is threatened, where such conduct  
20 consists of appearing, telephoning or initiating communication or  
21 contact at such person's place of employment or business, and the actor  
22 was previously clearly informed to cease that conduct.

23 For the purposes of subdivision two of this section, "following" shall  
24 include the unauthorized tracking of such person's movements or location  
25 through the use of a global positioning system, Bluetooth technology, or  
26 other device.

27 Stalking in the fourth degree is a class B misdemeanor.

28 § 2. This act shall take effect immediately.

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

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