STATE OF NEW YORK

5931

2021-2022 Regular Sessions

IN ASSEMBLY

March 2, 2021

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:

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

§ 240.49 Falsely reporting a hate crime.

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

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

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

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

Falsely reporting a hate crime is a class E felony.

§ 2. This act shall take effect on the first of November next succeeding 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.

LBD07389-01-1