

# 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:

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

3 § 240.49 Falsely reporting a hate crime.

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

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

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

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

21 Falsely reporting a hate crime is a class E felony.

22 § 2. This act shall take effect on the first of November next succeed-  
23 ing 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.

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