

STATE OF NEW YORK

6151--A

2021-2022 Regular Sessions

IN ASSEMBLY

March 10, 2021

Introduced by M. of A. FAHY -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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:

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 as well as the type of vaccine and its lot number shall be considered a written instrument.

§ 2. Section 156.25 of the penal law, as amended by chapter 89 of the laws of 1993, subdivision 2 as amended by chapter 376 of the laws of 1997, is amended to read as follows:

§ 156.25 Computer tampering in the third degree.

A person is guilty of computer tampering in the third degree when he or she commits the crime of computer tampering in the fourth degree and:

1. he or she does so with an intent to commit or attempt to commit or further the commission of any felony; or

2. he or she has been previously convicted of any crime under this article or subdivision eleven of section 165.15 of this chapter; or

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

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- 1 3. he or she intentionally alters in any manner or destroys computer
2 material; or
3 4. he or she intentionally alters in any manner or destroys computer
4 data or a computer program so as to cause damages in an aggregate amount
5 exceeding one thousand dollars; or
6 5. he or she intentionally alters in any manner or destroys computer
7 material indicating that a person did or did not receive a vaccination
8 against COVID-19.
9 Computer tampering in the third degree is a class E felony.
10 § 3. This act shall take effect immediately.