STATE OF NEW YORK

6736

2021-2022 Regular Sessions

IN ASSEMBLY

March 29, 2021

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

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

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 two new sections 170.80 and 170.85 to read as follows:

§ 170.80 Forgery of a COVID-19 vaccination record card.

A person is guilty of forgery of a COVID-19 record card when he or she knowingly:

(1) destroys, covers, defaces, alters or otherwise changes the form or appearance of a COVID-19 record card; or

(2) with intent to defraud, produces or reproduces a COVID-19 record card.

For the purposes of this section, the term "COVID-19 vaccination record card" means a card or record given to an individual after they have received a COVID-19 vaccine which keeps track of vital vaccination information, including, but not limited to, the date when the first and, if applicable, second dose of the vaccine were administered to such individual, the product name or manufacturer and lot number of the vaccine, and the healthcare professional or clinic site.

Forgery of a COVID-19 vaccination record card is a class A misdemeanor.

§ 170.85 Fraudulent making of COVID-19 vaccination records.

A person is guilty of fraudulent making of COVID-19 vaccination records when, with intent to defraud, deceive or injure another, he or she falsely makes, completes or alters two or more COVID-19 vaccination records.

For the purposes of this section, the term "COVID-19 vaccination record card" means a card or record given to an individual after they

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

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have received a COVID-19 vaccine which keeps track of vital vaccination information, including, but not limited to, the date when the first and, if applicable, second dose of the vaccine were administered to such individual, the product name or manufacturer and lot number of the vaccine, and the healthcare professional or clinic site.

Fraudulent making of COVID-19 vaccination records is a class D felony.

§ 2. This act shall take effect immediately.