STATE OF NEW YORK

388

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. KAPLAN -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to establishing the crimes of spoofing a police agency telephone number in the first and second degrees

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 190.90 to read as follows:

§ 190.90 Spoofing a police agency telephone number in the second degree.

A person is guilty of spoofing a police agency telephone number in the second degree when, with intent to defraud another person or to harass, annoy, threaten, or alarm another person, he or she places a telephone call whereby the ID display of the person receiving the call displays a phone number of a police agency of this state or any political subdivision of this state or displays any other information that would indicate that such phone call was placed by a police agency of this state or any political subdivision of this state.

Spoofing a police agency telephone number in the second degree is a class A misdemeanor.

§ 2. The penal law is amended by adding a new section 190.95 to read as follows:

§ 190.95 Spoofing a police agency telephone number in the first degree.

A person is guilty of spoofing a police agency telephone number in the first degree when he or she commits the crime of spoofing a police agency telephone number in the second degree and he or she has been previously convicted within the last ten years of spoofing a police agency telephone number in the second degree or spoofing a police agency telephone number in the first degree.

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

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Spoofing a police agency telephone number in the first degree is a class E felony.

§ 3. This act shall take effect on the sixtieth day after it shall have become a law.