

# STATE OF NEW YORK

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61

2021-2022 Regular Sessions

## IN SENATE

(Prefiled)

January 6, 2021

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Introduced by Sen. PERSAUD -- 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 impersonating another by using another's electronic signature

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions 3 and 4 of section 190.25 of the penal law,  
2 subdivision 3 as amended by chapter 27 of the laws of 1980 and subdivi-  
3 sion 4 as added by chapter 304 of the laws of 2008, are amended and a  
4 new subdivision 5 is added to read as follows:

5 3. (a) Pretends to be a public servant, or wears or displays without  
6 authority any uniform, badge, insignia or facsimile thereof by which  
7 such public servant is lawfully distinguished, or falsely expresses by  
8 his words or actions that he is a public servant or is acting with  
9 approval or authority of a public agency or department; and (b) so acts  
10 with intent to induce another to submit to such pretended official  
11 authority, to solicit funds or to otherwise cause another to act in  
12 reliance upon that pretense~~[-]~~; or

13 4. Impersonates another by communication by internet website or elec-  
14 tronic means with intent to obtain a benefit or injure or defraud anoth-  
15 er, or by such communication pretends to be a public servant in order to  
16 induce another to submit to such authority or act in reliance on such  
17 pretense~~[-]~~; or

18 5. Impersonates another person, without such other person's permis-  
19 sion, by using the other person's electronic signature with intent to  
20 obtain a benefit or injure or defraud the other person or another  
21 person. For the purposes of this subdivision, electronic signature  
22 shall have the same meaning as set forth in subdivision three of section  
23 three hundred two of the state technology law.

24 § 2. This act shall take effect immediately.

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

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