STATE OF NEW YORK

1295

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

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

AN ACT to amend the penal law, in relation to providing additional protections at reproductive health clinics

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

Section 1. Paragraph (d) of subdivision 1 of section 240.70 of the penal law, as added by chapter 635 of the laws of 1999, is amended and three new paragraphs (e), (f) and (g) are added to read as follows:

(d) [~~he or she~~] **such person** intentionally damages the property of a health care facility, or attempts to do so, because such facility provides reproductive health services, or intentionally damages the property of a place of religious worship[~~.~~]**; or**

(e) such person makes or causes to be made repeated telephone calls to a health care facility, whether or not conversation ensues, with the intent to impede access to a health care facility's telephone lines or otherwise disrupt a health care facility's activities; or

(f) such person activates a device or exposes a substance that releases noxious and offensive odors within a health care facility or within one hundred feet of the entrance to such health care facility; or

(g) such person intentionally makes noise that can be heard within a health care facility, after such person has been ordered by law enforcement to cease making such noise, with the intent to either:

(i) jeopardize the health of persons receiving reproductive health services within the health care facility; or

(ii) interfere with the safe and effective delivery of reproductive health services within the health care facility.

§ 2. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid and after exhaustion of all further judicial review, the judgment shall not affect, impair or invalidate the remainder thereof,

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

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but shall be confined in its operation to the clause, sentence, paragraph, section or part of this act directly involved in the controversy in which the judgment shall have been rendered.

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