

STATE OF NEW YORK

1970

2023-2024 Regular Sessions

IN ASSEMBLY

January 23, 2023

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

AN ACT to amend the penal law, in relation to including certain use of Bluetooth technology to follow a person in the crime of stalking in the fourth degree

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

1 Section 1. Section 120.45 of the penal law, as amended by chapter 184
2 of the laws of 2014, is amended to read as follows:
3 § 120.45 Stalking in the fourth degree.

4 A person is guilty of stalking in the fourth degree when he or she
5 intentionally, and for no legitimate purpose, engages in a course of
6 conduct directed at a specific person, and knows or reasonably should
7 know that such conduct:

8 1. is likely to cause reasonable fear of material harm to the physical
9 health, safety or property of such person, a member of such person's
10 immediate family or a third party with whom such person is acquainted;
11 or

12 2. causes material harm to the mental or emotional health of such
13 person, where such conduct consists of following, telephoning or initi-
14 ating communication or contact with such person, a member of such
15 person's immediate family or a third party with whom such person is
16 acquainted, and the actor was previously clearly informed to cease that
17 conduct; or

18 3. is likely to cause such person to reasonably fear that his or her
19 employment, business or career is threatened, where such conduct
20 consists of appearing, telephoning or initiating communication or
21 contact at such person's place of employment or business, and the actor
22 was previously clearly informed to cease that conduct.

23 For the purposes of subdivision two of this section, "following" shall
24 include the unauthorized tracking of such person's movements or location

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

LBD03190-01-3

1 through the use of a global positioning system, Bluetooth technology, or
2 other device.
3 Stalking in the fourth degree is a class B misdemeanor.
4 § 2. This act shall take effect immediately.