STATE OF NEW YORK

4662

2023-2024 Regular Sessions

IN ASSEMBLY

February 21, 2023

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

AN ACT to amend the penal law, in relation to establishing the crime of making a terroristic threat against a police officer

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 490.21 to read as follows:

§ 490.21 Making a terroristic threat against a police officer.

1. A person is guilty of making a terroristic threat against a police officer when with intent to intimidate or coerce a civilian population, influence the policy of a unit of government by intimidation or coercion, or affect the conduct of a unit of government by murder, assassination or kidnapping, he or she threatens to commit or cause to be committed a specified offense against a police officer and thereby causes a reasonable expectation or fear of the imminent commission of such offense against a police officer.

2. It shall be no defense to a prosecution pursuant to this section that the defendant did not have the intent or capability of committing the specified offense or that the threat was not made to a person who was a subject thereof.

Making a terroristic threat against a police officer is a class C felony.

§ 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

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