STATE OF NEW YORK

6763

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

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

AN ACT to amend the penal law, in relation to the crimes of falsely reporting an incident 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. Subdivisions 1 and 2 of section 240.55 of the penal law, as amended by chapter 561 of the laws of 1999, are amended to read as follows:

1. Initiates or circulates a false report or warning of an alleged occurrence or impending occurrence of a fire, explosion, [~~or~~] the release of a hazardous substance**, or the use of a deadly weapon or dangerous instrument** under circumstances in which it is not unlikely that public alarm or inconvenience will result;

2. Reports, by word or action, to any official or quasi-official agency or organization having the function of dealing with emergencies involving danger to life or property, an alleged occurrence or impending occurrence of a fire, explosion, [~~or~~] the release of a hazardous substance**, or the use of a deadly weapon or dangerous instrument** which did not in fact occur or does not in fact exist; or

§ 2. Subdivision 5 of section 240.60 of the penal law, as added by chapter 561 of the laws of 1999, is amended to read as follows:

5. Knowing the information reported, conveyed or circulated to be false or baseless and under circumstances in which it is likely public alarm or inconvenience will result, he or she initiates or circulates a report or warning of an alleged occurrence or an impending occurrence of a fire, an explosion, [~~or~~] the release of a hazardous substance **or the use of a deadly weapon or dangerous instrument** upon school grounds and it is likely that persons are present on said grounds.

§ 3. Severability. If any item, clause, sentence, subparagraph, subdivision, section or other part of this act, or the application thereof to

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

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any person or circumstances shall be held to be invalid, such holding shall not affect, impair or invalidate the remainder of this act, or the application of such section or part of a section held invalid, to any other person or circumstances, but shall be confined in its operation to the item, clause, sentence, subparagraph, subdivision, section or other part of this act directly involved in such holding, or to the person and circumstances therein involved.

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