

STATE OF NEW YORK

6296

2023-2024 Regular Sessions

IN SENATE

April 12, 2023

Introduced by Sen. MANNION -- 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 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:

1 Section 1. Subdivisions 1 and 2 of section 240.55 of the penal law, as
2 amended by chapter 561 of the laws of 1999, are amended to read as
3 follows:

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

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

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

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

24 § 3. Severability. If any item, clause, sentence, subparagraph, subdi-
25 vision, 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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1 any person or circumstances shall be held to be invalid, such holding
2 shall not affect, impair or invalidate the remainder of this act, or the
3 application of such section or part of a section held invalid, to any
4 other person or circumstances, but shall be confined in its operation
5 to the item, clause, sentence, subparagraph, subdivision, section or
6 other part of this act directly involved in such holding, or to the
7 person and circumstances therein involved.

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