STATE OF NEW YORK

8904

IN SENATE

March 26, 2024

Introduced by Sen. CHU -- 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 repeated instances of harassment

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

Section 1. Subdivision 5 of section 240.30 of the penal law, as amended by chapter 188 of the laws of 2014, is amended to read as follows:

5. He or she commits the crime of harassment in the first degree and has previously been convicted of the crime of harassment in the first degree as defined by section 240.25 of this article within the preceding ten years**, regardless of whether or not the alleged victim of such harassment is the same victim from such prior offense**.

§ 2. Section 240.25 of the penal law, as amended by chapter 109 of the laws of 1994, is amended to read as follows:

§ 240.25 Harassment in the first degree.

A person is guilty of harassment in the first degree when [~~he~~]**:**

1. He or she intentionally and repeatedly harasses another person by following such person in or about a public place or places or by engaging in a course of conduct or by repeatedly committing acts which places such person in reasonable fear of physical injury**; or**

2. He or she commits the offense of harassment in the second degree and has previously been convicted of the crime of harassment in the second degree as defined by section 240.26 of this article within the preceding five years, regardless of whether or not the alleged victim of such harassment is the same victim from such prior offense; or

3. He or she engages in a pattern of harassment of multiple individuals as the term harassment is defined by section 240.26 of this article.

This section shall not apply to activities regulated by the national labor relations act, as amended, the railway labor act, as amended, or the federal employment labor management act, as amended.

Harassment in the first degree is a class B misdemeanor.

§ 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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