STATE OF NEW YORK

3139

2023-2024 Regular Sessions

IN ASSEMBLY

February 2, 2023

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

AN ACT to amend the penal law, in relation to stalking a police officer, peace officer, correction officer or firefighter

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 120.65 to read as follows:

§ 120.65 Stalking a police officer, peace officer, correction officer or firefighter.

A person is guilty of stalking a police officer, peace officer, correction officer or firefighter when he or she intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the employment of such person or such person's immediate family member as a police officer, peace officer, correction officer or firefighter, and with intent to harass, annoy or alarm such person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family. Such course of conduct may be conducted in person or electronically, including but not limited to, the use of a social media network.

Stalking a police officer, peace officer, correction officer or firefighter is a class A misdemeanor.

§ 2. This act shall take effect on the sixtieth day after 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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