STATE OF NEW YORK

8334

2023-2024 Regular Sessions

IN ASSEMBLY

December 13, 2023

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

AN ACT to amend the penal law, in relation to establishing the crime of disruption or disturbance of a lawful assembly

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

Section 1. This act shall be known and may be cited as the "dialogue and decorum act".

§ 2. The penal law is amended by adding a new section 240.22 to read as follows:

§ 240.22 Disruption or disturbance of a lawful assembly.

1. A person is guilty of disruption or disturbance of a lawful assembly when he or she, without authority of law, willfully disturbs or breaks up any assembly or meeting that is not unlawful in its character.

2. For purposes of this section, the following terms shall have the following meanings:

(a) "Willfully disturbs" shall mean:

(i) the conduct substantially impairs the ability to conduct a lawful meeting or assembly;

(ii) the conduct disrupting the meeting or assembly is intended to cause a disruption; and

(iii) the conduct is in violation of the implicit customs or usage of the specific kind of meeting or assembly, or the explicit rules governing the meeting or assembly, where the disrupting party knew or reasonably should have known such conduct was in violation.

(b) "Lawful assembly" shall mean a group of two or more individuals who legally reserve a space or area with an institution or a municipality by paying a fee or filing an application, and who use such space or area to peacefully assemble for any purpose not expressly prohibited by law.

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

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3. Disregard of a moderator's call to order or a determination that a person is in violation of the rules of an assembly or meeting shall be proof of an impermissible intent to disrupt.

Disruption or disturbance of a lawful assembly is a class A misdemeanor.

§ 3. This act shall take effect immediately.