STATE OF NEW YORK

9390--B

IN ASSEMBLY

March 6, 2024

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to prohibiting recording of the entrance of a school ground

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 250.75 to read as follows:

§ 250.75 Unlawful surveillance of school property.

1. As used in this section:

(a) "School ground" means the outside perimeter of any building, structure, athletic playing field, playground or land contained within the real property boundary line of a public or private elementary, parochial, intermediate, junior high, vocational or high school.

(b) "School administrator" shall have the same meaning as defined by subdivision six of section one thousand one hundred twenty-five of the education law.

2. A person is guilty of unlawful surveillance of school property when with intent to harass, annoy, threaten or alarm another person, they:

(a) broadcast or record the entrance or exit to a school ground or the entrance or exit to a property that contains school grounds within its boundaries; or

(b) use or install, or permit the utilization or installation of a mechanical, digital or electronic viewing device, camera, cellular phone or any other instrument capable of recording, storing or transmitting visual images to view, broadcast or record an entrance or exit to a school ground or an entry or exit to a property that contains school grounds within its boundaries.

Unlawful surveillance of school property shall be punishable only by a fine of not more than one thousand dollars per day.

§ 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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