

STATE OF NEW YORK

4678--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 4, 2025

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Codes -- committee discharged, bill amended, 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:

1 Section 1. Section 240.26 of the penal law, as amended by chapter 109
2 of the laws of 1994, is amended to read as follows:

3 § 240.26 Harassment in the second degree.

4 A person is guilty of harassment in the second degree when, with
5 intent to harass, annoy or alarm another person:

6 1. [~~He or she~~] The actor strikes, shoves, kicks or otherwise subjects
7 such other person to physical contact, or attempts or threatens to do
8 the same; or

9 2. [~~He or she~~] The actor follows a person in or about a public place
10 or places; or

11 3. [~~He or she~~] The actor engages in a course of conduct or repeatedly
12 commits acts which alarm or seriously annoy such other person and which
13 serve no legitimate purpose~~[-]~~; or

14 4. The actor either (a) broadcasts or records the entrance or exit to
15 school grounds or the entrance or exit to a property that contains
16 school grounds within its boundaries; or (b) uses or installs, or
17 permits the utilization or installation of a mechanical, digital or
18 electronic viewing device, camera, cellular phone or any other instru-
19 ment capable of recording, storing or transmitting visual images to
20 view, broadcast or record an entrance or exit to a school ground or an
21 entry or exit to a property that contains school grounds within its
22 boundaries.

23 Subdivisions two and three of this section shall not apply to activ-
24 ities regulated by the national labor relations act, as amended, the

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

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1 railway labor act, as amended, or the federal employment labor manage-
2 ment act, as amended.
3 Harassment in the second degree is a violation.
4 § 2. This act shall take effect on the first of November next succeed-
5 ing the date on which it shall have become a law.