

# STATE OF NEW YORK

552

2025-2026 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. PHEFFER AMATO, COOK -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to including certain activity in transit and transportation facilities within the crime of criminal trespass in the second degree

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

- 1 Section 1. Subdivision 2 of section 140.15 of the penal law, as  
2 amended by chapter 315 of the laws of 2010, is amended and a new subdivi-  
3 sion 3 is added to read as follows:  
4 2. being a person required to maintain registration under article  
5 six-C of the correction law and designated a level two or level three  
6 offender pursuant to subdivision six of section one hundred  
7 sixty-eight-1 of the correction law, [~~he or she~~] such person enters or  
8 remains in a public or private elementary, parochial, intermediate,  
9 junior high, vocational or high school knowing that the victim of the  
10 offense for which such registration is required attends or formerly  
11 attended such school. It shall not be an offense subject to prosecution  
12 under this subdivision if: the person is a lawfully registered student  
13 at such school; the person is a lawful student participant in a school  
14 sponsored event; the person is a parent or a legal guardian of a  
15 lawfully registered student at such school and enters the school for the  
16 purpose of attending their child's or dependent's event or activity;  
17 such school is the person's designated polling place and [~~he or she~~]  
18 such person enters such school building for the limited purpose of  
19 voting; or if the person enters such school building for the limited  
20 purposes authorized by the superintendent or chief administrator of such  
21 school[~~-~~]; or  
22 3. such person knowingly enters or remains unlawfully in a transit  
23 facility as defined under section twelve hundred of the public authori-

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

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1 ties law or a transportation facility as defined under section twelve  
2 hundred sixty-one of the public authorities law.

3 § 2. This act shall take effect on the first of November next succeed-  
4 ing the date on which it shall have become a law.