

STATE OF NEW YORK

10067

IN SENATE

April 27, 2026

Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to certain crimes of interference with religious worship

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

1 Section 1. The section heading, subdivision 1 and subdivision 3 of
2 section 240.70 of the penal law, as added by chapter 635 of the laws of
3 1999, are amended to read as follows:
4 Criminal interference with health care services or access to a place of
5 religious worship in the second degree.
6 1. A person is guilty of criminal interference with health services or
7 access to a place of religious worship in the second degree when:
8 (a) by force or threat of force or by physical obstruction, [~~he or~~
9 ~~she~~] such person intentionally injures, intimidates or interferes with,
10 or attempts to injure, intimidate or interfere with, another person
11 because such other person was or is obtaining or providing reproductive
12 health services; or
13 (b) by force or threat of force or by physical obstruction, [~~he or~~
14 ~~she~~] such person intentionally injures, intimidates or interferes with,
15 or attempts to injure, intimidate or interfere with, another person in
16 order to discourage such other person or any other person or persons
17 from obtaining or providing reproductive health services; or
18 (c) by force or threat of force or by physical obstruction, [~~he or~~
19 ~~she~~] such person intentionally injures, intimidates or interferes with,
20 or attempts to injure, intimidate or interfere with, another person
21 [~~because~~] when such person [~~was or is seeking to exercise the right of~~
22 ~~religious freedom at~~] seeks to enter a place of religious worship, or to
23 exercise the right of religious freedom therein; or
24 (d) [~~he or she~~] such person intentionally damages the property of a
25 health care facility, or attempts to do so, because such facility
26 provides reproductive health services, or intentionally damages the
27 property of a place of religious worship[~~-~~]; or

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

LBD15069-01-6

1 (e) groups of two or more people demonstrating or preparing to demon-
2 strate outside of a place of religious worship fail to maintain one
3 hundred feet of distance from such a place, including its parking lot
4 entrances, driveway and driveway entrances of such facilities.

5 3. For purposes of this section:

6 (a) the term "health care facility" means a hospital, clinic, physi-
7 cian's office or other facility that provides reproductive health
8 services, and includes the building or structure in which the facility
9 is located;

10 (b) the term "interferes with" means to restrict a person's freedom of
11 movement;

12 (c) the term "intimidates" means to place a person in reasonable
13 apprehension of physical injury to [~~himself or herself~~] themselves or to
14 another person;

15 (d) the term "physical obstruction" means rendering impassable ingress
16 to or egress from a facility that provides reproductive health services
17 or to or from a place of religious worship, or rendering passage to or
18 from such a facility or place of religious worship unreasonably diffi-
19 cult or hazardous; [~~and~~]

20 (e) the term "reproductive health services" means health care services
21 provided in a hospital, clinic, physician's office or other facility and
22 includes medical, surgical, counseling or referral services relating to
23 the human reproductive system, including services relating to pregnancy
24 or the termination of a pregnancy[~~+~~]; and

25 (f) the term "place of religious worship" shall mean any building,
26 structure, or space, whether public or private, that is used primarily
27 for religious services, observance, prayer, assembly, or devotional
28 practice and shall include the drive, entrance, entryway, or exit and
29 any public way or sidewalk that touches such places.

30 § 2. Section 240.71 of the penal law, as amended by chapter 493 of the
31 laws of 2009, is amended to read as follows:

32 § 240.71 Criminal interference with health care services or access to a
33 place of religious worship in the first degree.

34 A person is guilty of criminal interference with health care services
35 or access to a place of religious worship in the first degree when [~~he~~
36 ~~or she~~] such person commits the crime of criminal interference with
37 health care services or access to a place of religious worship in the
38 second degree and has been previously convicted of the crime of criminal
39 interference with health care services or access to a place of religious
40 worship in the first or second degree or aggravated interference with
41 health care services in the first or second degree.

42 Criminal interference with health care services or access to a place
43 of religious worship in the first degree is a class E felony.

44 § 3. This act shall take effect on the sixtieth day after it shall
45 have become a law.