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:

Section 1. The section heading, subdivision 1 and subdivision 3 of section 240.70 of the penal law, as added by chapter 635 of the laws of 1999, are amended to read as follows:

Criminal interference with health care services or **access to a place of** religious worship in the second degree.

1. A person is guilty of criminal interference with health services or **access to a place of** religious worship in the second degree when:

(a) by force or threat of force or by physical obstruction, [~~he or she~~] **such person** intentionally injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with, another person because such other person was or is obtaining or providing reproductive health services; or

(b) by force or threat of force or by physical obstruction, [~~he or she~~] **such person** intentionally injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with, another person in order to discourage such other person or any other person or persons from obtaining or providing reproductive health services; or

(c) by force or threat of force or by physical obstruction, [~~he or she~~] **such person** intentionally injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with, another person [~~because~~] **when** such person [~~was or is seeking to exercise the right of religious freedom at~~] **seeks to enter** a place of religious worship**, or to exercise the right of religious freedom therein**; or

(d) [~~he or she~~] **such person** intentionally damages the property of a health care facility, or attempts to do so, because such facility provides reproductive health services, or intentionally damages the 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

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

3. For purposes of this section:

(a) the term "health care facility" means a hospital, clinic, physician's office or other facility that provides reproductive health services, and includes the building or structure in which the facility is located;

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

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

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

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

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

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

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

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

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

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