

# STATE OF NEW YORK

10359

## IN SENATE

May 15, 2026

Introduced by Sen. RHOADS -- 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 prohibiting persons from protesting within twenty-five feet of houses of worship

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

1 Section 1. The penal law is amended by adding a new section 240.80 to  
2 read as follows:

3 § 240.80 Criminal interference with religious worship in the second  
4 degree.

5 1. A person is guilty of criminal interference with religious worship  
6 in the second degree when:

7 (a) by force or threat of force or by physical obstruction, such  
8 person intentionally injures, intimidates or interferes with, or  
9 attempts to injure, intimidate or interfere with, another person because  
10 such person was or is seeking to exercise the right of religious freedom  
11 at a place of religious worship; or

12 (b) such person intentionally damages the property of a place of reli-  
13 gious worship; or

14 (c) such person or persons engages in protest outside a place of reli-  
15 gious worship within twenty-five feet of such place to include its park-  
16 ing lot, entrance, driveway or driveway entrance; or

17 (d) such person or persons prevents the entrance to a place of reli-  
18 gious worship or prevents the exit from a place of religious worship.

19 2. For the purposes of this section:

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

22 (b) the term "intimidates" means to place a person in reasonable  
23 apprehension of physical injury to themselves or to another person.

24 Criminal interference with or religious worship in the second degree  
25 is a class A misdemeanor.

26 § 2. The penal law is amended by adding a new section 240.81 to read  
27 as follows:

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

LBD14578-02-6

1 § 240.81 Criminal interference with religious worship in the second  
2 degree.

3 A person is guilty of criminal interference with religious worship in  
4 the first degree when such person commits the crime of criminal inter-  
5 ference with religious worship in the second degree and has been previ-  
6 ously convicted of the crime of criminal interference with religious  
7 worship in the first or second degree.

8 Criminal interference with religious worship in the first degree is a  
9 class E felony.

10 § 3. Section 240.70 of the penal law, as added by chapter 635 of the  
11 laws of 1999, is amended to read as follows:

12 § 240.70 Criminal interference with health care services [~~or religious~~  
13 ~~worship~~] in the second degree.

14 1. A person is guilty of criminal interference with health services  
15 [~~or religious worship~~] in the second degree when:

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

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

26 (c) [~~by force or threat of force or by physical obstruction, he or she~~  
27 ~~intentionally injures, intimidates or interferes with, or attempts to~~  
28 ~~injure, intimidate or interfere with, another person because such person~~  
29 ~~was or is seeking to exercise the right of religious freedom at a place~~  
30 ~~of religious worship, or~~

31 (~~d) he or she~~] such person intentionally damages the property of a  
32 health care facility, or attempts to do so, because such facility  
33 provides reproductive health services[~~, or intentionally damages the~~  
34 ~~property of a place of religious worship~~].

35 2. A parent or legal guardian of a minor shall not be subject to pros-  
36 ecution for conduct otherwise prohibited by paragraph (a) or (b) of  
37 subdivision one of this section which is directed exclusively at such  
38 minor.

39 3. For purposes of this section:

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

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

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

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

54 (e) the term "reproductive health services" means health care services  
55 provided in a hospital, clinic, physician's office or other facility and  
56 includes medical, surgical, counseling or referral services relating to

1 the human reproductive system, including services relating to pregnancy  
2 or the termination of a pregnancy.

3 Criminal interference with health care services [~~or religious worship~~]  
4 in the second degree is a class A misdemeanor.

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

7 § 240.71 Criminal interference with health care services [~~or religious~~  
8 ~~worship~~] in the first degree.

9 A person is guilty of criminal interference with health care services  
10 [~~or religious worship~~] in the first degree when [~~he or she~~] such person  
11 commits the crime of criminal interference with health care services [~~or~~  
12 ~~religious worship~~] in the second degree and has been previously  
13 convicted of the crime of criminal interference with health care  
14 services [~~or religious worship~~] in the first or second degree or aggra-  
15 vated interference with health care services in the first or second  
16 degree.

17 Criminal interference with health care services [~~or religious worship~~]  
18 in the first degree is a class E felony.

19 § 5. This act shall take effect immediately.