

STATE OF NEW YORK

1611

2025-2026 Regular Sessions

IN SENATE

January 13, 2025

Introduced by Sen. BORRELLO -- 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 harassment in the first degree

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

1 Section 1. Section 240.00 of the penal law is amended by adding a new
2 subdivision 8 to read as follows:

3 8. "School employee" means any person employed by an elementary or
4 secondary school, public or private, or by the school district or other
5 entity administering such school.

6 § 2. Section 240.25 of the penal law, as amended by chapter 109 of the
7 laws of 1994, is amended to read as follows:

8 § 240.25 Harassment in the first degree.

9 A person is guilty of harassment in the first degree when:

10 1. ~~he or she~~ such person intentionally and repeatedly harasses
11 another person by following such other person in or about a public place
12 or places or by engaging in a course of conduct or by repeatedly commit-
13 ting acts which ~~[places]~~ place such other person in reasonable fear of
14 physical injury, or

15 2. such person strikes, shoves, kicks or otherwise subjects a school
16 employee to physical contact, or attempts or threatens to do the same,
17 while such school employee is engaged in or on account of the perform-
18 ance of the duties of such school employee. This section shall not
19 apply to activities regulated by the national labor relations act, as
20 amended, the railway labor act, as amended, or the federal employment
21 labor management act, as amended.

22 Harassment in the first degree is a class B misdemeanor.

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

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

LBD02566-01-5