

STATE OF NEW YORK

4007

2025-2026 Regular Sessions

IN SENATE

January 31, 2025

Introduced by Sens. PARKER, MAYER -- 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 bias-related graffiti

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

1 Section 1. Subdivision 3 of section 485.05 of the penal law, as
2 amended by section 2 of part C of chapter 55 of the laws of 2024, is
3 amended to read as follows:
4 3. A "specified offense" is an offense defined by any of the following
5 provisions of this chapter: section 120.00 (assault in the third
6 degree); section 120.05 (assault in the second degree); section 120.06
7 (gang assault in the second degree); section 120.07 (gang assault in the
8 first degree); section 120.10 (assault in the first degree); section
9 120.12 (aggravated assault upon a person less than eleven years old);
10 section 120.13 (menacing in the first degree); section 120.14 (menacing
11 in the second degree); section 120.15 (menacing in the third degree);
12 section 120.20 (reckless endangerment in the second degree); section
13 120.25 (reckless endangerment in the first degree); section 121.11
14 (criminal obstruction of breathing or blood circulation); section 121.12
15 (strangulation in the second degree); section 121.13 (strangulation in
16 the first degree); subdivision one of section 125.15 (manslaughter in
17 the second degree); subdivision one, two or four of section 125.20
18 (manslaughter in the first degree); section 125.25 (murder in the second
19 degree); section 125.26 (aggravated murder); section 125.27 (murder in
20 the first degree); section 120.45 (stalking in the fourth degree);
21 section 120.50 (stalking in the third degree); section 120.55 (stalking
22 in the second degree); section 120.60 (stalking in the first degree);
23 section 130.20 (sexual misconduct); section 130.25 (rape in the third
24 degree); section 130.30 (rape in the second degree); section 130.35
25 (rape in the first degree); former section 130.40; former section
26 130.45; former section 130.50; section 130.52 (forcible touching);

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

LBD07213-01-5

1 section 130.53 (persistent sexual abuse); section 130.55 (sexual abuse
2 in the third degree); section 130.60 (sexual abuse in the second
3 degree); section 130.65 (sexual abuse in the first degree); section
4 130.65-a (aggravated sexual abuse in the fourth degree); section 130.66
5 (aggravated sexual abuse in the third degree); section 130.67 (aggra-
6 vated sexual abuse in the second degree); section 130.70 (aggravated
7 sexual abuse in the first degree); section 135.05 (unlawful imprisonment
8 in the second degree); section 135.10 (unlawful imprisonment in the
9 first degree); section 135.20 (kidnapping in the second degree); section
10 135.25 (kidnapping in the first degree); section 135.60 (coercion in the
11 third degree); section 135.61 (coercion in the second degree); section
12 135.65 (coercion in the first degree); section 140.10 (criminal trespass
13 in the third degree); section 140.15 (criminal trespass in the second
14 degree); section 140.17 (criminal trespass in the first degree); section
15 140.20 (burglary in the third degree); section 140.25 (burglary in the
16 second degree); section 140.30 (burglary in the first degree); section
17 145.00 (criminal mischief in the fourth degree); section 145.05 (crimi-
18 nal mischief in the third degree); section 145.10 (criminal mischief in
19 the second degree); section 145.12 (criminal mischief in the first
20 degree); section 145.60 (making graffiti); section 150.05 (arson in the
21 fourth degree); section 150.10 (arson in the third degree); section
22 150.15 (arson in the second degree); section 150.20 (arson in the first
23 degree); section 155.25 (petit larceny); section 155.30 (grand larceny
24 in the fourth degree); section 155.35 (grand larceny in the third
25 degree); section 155.40 (grand larceny in the second degree); section
26 155.42 (grand larceny in the first degree); section 160.05 (robbery in
27 the third degree); section 160.10 (robbery in the second degree);
28 section 160.15 (robbery in the first degree); section 230.34 (sex traf-
29 ficking); section 230.34-a (sex trafficking of a child); section 240.25
30 (harassment in the first degree); subdivision one, two or four of
31 section 240.30 (aggravated harassment in the second degree); section
32 240.50 (falsely reporting an incident in the third degree); section
33 240.55 (falsely reporting an incident in the second degree); section
34 240.60 (falsely reporting an incident in the first degree); subdivision
35 one of section 265.03 (criminal possession of a weapon in the second
36 degree); subdivision one of section 265.04 (criminal possession of a
37 weapon in the first degree); section 490.10 (soliciting or providing
38 support for an act of terrorism in the second degree); section 490.15
39 (soliciting or providing support for an act of terrorism in the first
40 degree); section 490.20 (making a terroristic threat); section 490.25
41 (crime of terrorism); section 490.30 (hindering prosecution of terrorism
42 in the second degree); section 490.35 (hindering prosecution of terror-
43 ism in the first degree); section 490.37 (criminal possession of a chem-
44 ical weapon or biological weapon in the third degree); section 490.40
45 (criminal possession of a chemical weapon or biological weapon in the
46 second degree); section 490.45 (criminal possession of a chemical weapon
47 or biological weapon in the first degree); section 490.47 (criminal use
48 of a chemical weapon or biological weapon in the third degree); section
49 490.50 (criminal use of a chemical weapon or biological weapon in the
50 second degree); section 490.55 (criminal use of a chemical weapon or
51 biological weapon in the first degree); or any attempt or conspiracy to
52 commit any of the foregoing offenses.

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