

# STATE OF NEW YORK

8713--A

## IN SENATE

January 7, 2026

Introduced by Sens. HINCHEY, BOTTCHER -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

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

Section 1. Section 240.70 of the penal law, as added by chapter 635 of the laws of 1999, is amended to read as follows:

§ 240.70 Criminal interference with health care services or religious worship in the second degree.

1. A person is guilty of criminal interference with health services or 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]~~ engaging in legally protected health activity; 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]~~ engaging in legally protected health activity; 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 such person was or is seeking to exercise the right of religious freedom at a place of religious worship; or

(d) ~~[he or she]~~ such person intentionally damages the property of a health care facility, or the physical location from which a person engages in legally protected health activity, or attempts to do so, because such facility provides reproductive health services or the

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

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1 location is the site of legally protected health activity, or inten-  
2 tionally damages the property of a place of religious worship.

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

7 3. For purposes of this section:

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

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

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

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

22 (e) the term "reproductive health services" [~~means health care~~  
23 ~~services provided in a hospital, clinic, physician's office or other~~  
24 ~~facility and includes medical, surgical, counseling or referral services~~  
25 ~~relating to the human reproductive system, including services relating~~  
26 ~~to pregnancy or the termination of a pregnancy.~~] shall mean and include  
27 all services, care, or products of a medical, surgical, psychiatric,  
28 therapeutic, diagnostic, mental health, behavioral health, preventative,  
29 rehabilitative, supportive, consultative, referral, prescribing, or  
30 dispensing nature relating to the human reproductive system provided in  
31 accordance with the constitution and the laws of this state, whether  
32 provided in person or by means of telehealth or telehealth services,  
33 which includes, but is not limited to, all services, care and products  
34 relating to pregnancy, assisted reproduction, contraception, miscarriage  
35 management or the termination of a pregnancy, and self-managed termi-  
36 nations; and

37 (f) the term "legally protected health activity" shall mean and  
38 include the following acts and omissions by providers and facilitators  
39 of reproductive health services, to the extent they are not in  
40 violation of the constitution or the laws of this state, provided that  
41 such provider is physically present in the state:

42 (i) the exercise or attempted exercise by any person of rights to  
43 reproductive health services as secured by the constitution or laws of  
44 this state or the provision of insurance coverage for such services or  
45 care; and

46 (ii) any act or omission undertaken to aid or encourage, or attempt to  
47 aid or encourage, any person in the exercise or attempted exercise of  
48 rights to reproductive health services as secured by the constitution or  
49 laws of this state, or to provide insurance coverage for such services  
50 or care; provided, however, that the provision of such reproductive  
51 health services by a person duly licensed under the laws of this state  
52 and physically present in this state and the provision of insurance  
53 coverage for such services or care shall be a legally protected health  
54 activity if the service or care is permitted under the laws of this  
55 state, regardless of the patient's location.

1 Criminal interference with health care services or religious worship  
2 in the second degree is a class A misdemeanor.  
3 § 2. This act shall take effect on the sixtieth day after it shall  
4 have become a law.