STATE OF NEW YORK

9040

IN SENATE

January 27, 2026

Introduced by Sen. HINCHEY -- 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 including public officers or employees of the federal government within the definition of public servant

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

Section 1. Subdivision 15 of section 10.00 of the penal law, as amended by chapter 791 of the laws of 1967, is amended to read as follows:

15. "Public servant" means (a) any public officer or employee of **the federal government, of** the state or of any political subdivision thereof**,** or of any governmental instrumentality within the state**, including any governmental instrumentality of the United States with jurisdiction in the state**, or (b) any person exercising the functions of any such public officer or employee. The term public servant includes a person who has been elected or designated to become a public servant.

§ 2. This act shall take effect immediately.

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

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