STATE OF NEW YORK

10785

IN ASSEMBLY

April 1, 2026

Introduced by M. of A. NORBER, CHANG, BROOK-KRASNY, NOVAKHOV -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the crimes of disruption or disturbance of a religious service, funeral, burial or memorial service in the first and second degrees

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

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

8. "Place of religious worship" means any building, structure, or portion thereof, that is regularly used by a religious corporation, as incorporated under the religious corporations law or the education law, for purposes of conducting religious services, ceremonies, or other forms of religious observance or prayer.

§ 2. Section 240.21 of the penal law, as amended by chapter 566 of the laws of 2008, the opening paragraph as amended by chapter 528 of the laws of 2011, is amended to read as follows:

§ 240.21 Disruption or disturbance of a religious service, funeral, burial or memorial service **in the second degree**.

A person is guilty of disruption or disturbance of a religious service, funeral, burial or memorial service **in the second degree** when [~~he or she~~] **such person** makes unreasonable noise or disturbance while at a lawfully assembled religious service, funeral, burial or memorial service, or within [~~three~~] **five** hundred feet thereof, with intent to cause annoyance or alarm or recklessly creating a risk thereof.

Disruption or disturbance of a religious service, funeral, burial or memorial service **in the second degree** is a class A misdemeanor.

§ 3. The penal law is amended by adding a new section 240.22 to read as follows:

§ 240.22 Disruption or disturbance of a religious service, funeral, burial or memorial service in the first degree.

A person is guilty of disruption or disturbance of a religious service, funeral, burial or memorial service in the first degree when such person makes unreasonable noise or disturbance while at a lawfully

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

LBD15275-01-6

assembled religious service, funeral, burial or memorial service, or within five hundred feet thereof, with intent to cause annoyance or alarm or recklessly creating a risk thereof, and

1. Interferes with access to a place of religious worship thereby preventing another person from exercising the right of religious freedom therein; or

2. Is part of a group or groups of two or more people demonstrating or preparing to demonstrate outside of a place of religious worship, including its parking lot entrances, driveways, driveway entrances, and any other public way that comes in contact with such facilities.

Disruption or disturbance of a religious service, funeral, burial or memorial service in the first degree is a class E felony.

§ 4. This act shall take effect immediately.