

STATE OF NEW YORK

9300

2025-2026 Regular Sessions

IN ASSEMBLY

December 10, 2025

Introduced by M. of A. R. CARROLL -- read once and referred to the
Committee on Governmental Operations

AN ACT to amend the executive law, in relation to establishing the "free
speech protection act" and preventing the transfer of information on
legal protest activities to the federal government

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

1 Section 1. This act shall be known and may be cited as the "free
2 speech protection act".

3 § 2. The executive law is amended by adding a new section 837-z to
4 read as follows:

5 § 837-z. Cooperation with certain federal investigations. 1. For
6 purposes of this section, the term "protected expressive activity" means
7 protests, demonstrations, or other actions protected by the first amend-
8 ment to the United States constitution or sections eight and nine of
9 article one of the New York state constitution.

10 2. No state or local law enforcement agency shall cooperate with or
11 provide information to the federal government or its agents regarding
12 protected expressive activities performed in this state, or otherwise
13 expend or use time, moneys, facilities, property, equipment, personnel,
14 or other resources in furtherance of any federal investigation or
15 proceeding that seeks to impose civil or criminal liability or profes-
16 sional sanctions upon a person or entity for any protected expressive
17 activity occurring in this state.

18 3. Nothing in this section shall prohibit the investigation of any
19 crime under the laws of this state which may involve protests, demon-
20 strations, or other actions protected by the first amendment to the
21 United States constitution or sections eight and nine of article one of
22 the New York state constitution, provided that no information may be
23 provided to the federal government or its agents as to the participation
24 of specific individuals in these protected activities.

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

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1 4. This section shall not be construed to allow for the provision of
2 any information to the federal government or its agents that would not
3 otherwise be available under state law.

4 5. (a) Any individual whose information was obtained by any federal
5 government entity in violation of this section may institute a civil
6 action against the state or local law enforcement agency that disclosed
7 their information in violation of this section for any or all of the
8 following:

9 (i) one thousand dollars per violation or actual damages, whichever is
10 greater;

11 (ii) punitive damages;

12 (iii) injunctive or declaratory relief; and

13 (iv) any other relief the court deems proper.

14 (b) In assessing the amount of punitive damages, the court shall
15 consider:

16 (i) the number of people whose rights were violated;

17 (ii) whether the violation directly or indirectly targeted persons
18 engaged in the exercise of activities protected by the United States
19 constitution or the New York state constitution; and

20 (iii) the persistence of violations by the particular government enti-
21 ty.

22 (c) In any action brought under this section, the court shall award
23 reasonable attorneys' fees, expenses, and costs to a prevailing plain-
24 tiff.

25 § 3. This act shall take effect immediately.