STATE OF NEW YORK

1694--A

Cal. No. 676

2025-2026 Regular Sessions

IN SENATE

January 13, 2025

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the penal law, in relation to prohibiting recording of the entrance of a school ground

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

Section 1. Section 240.26 of the penal law, as amended by chapter 109 of the laws of 1994, is amended to read as follows:

§ 240.26 Harassment in the second degree.

A person is guilty of harassment in the second degree when, with intent to harass, annoy or alarm another person:

1. [~~He or she~~] **The actor** strikes, shoves, kicks or otherwise subjects such other person to physical contact, or attempts or threatens to do the same; or

2. [~~He or she~~] **The actor** follows a person in or about a public place or places; or

3. [~~He or she~~] **The actor** engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose[~~.~~]**; or**

4. The actor either (a) broadcasts or records the entrance or exit to school grounds or the entrance or exit to a property that contains school grounds within its boundaries; or (b) uses or installs, or permits the utilization or installation of a mechanical, digital or electronic viewing device, camera, cellular phone or any other instrument capable of recording, storing or transmitting visual images to view, broadcast or record an entrance or exit to a school ground or an entry or exit to a property that contains school grounds within its boundaries.

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

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Subdivisions two and three of this section shall not apply to activities regulated by the national labor relations act, as amended, the railway labor act, as amended, or the federal employment labor management act, as amended.

Harassment in the second degree is a violation.

§ 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.