

STATE OF NEW YORK

2641

2025-2026 Regular Sessions

IN SENATE

January 22, 2025

Introduced by Sen. ADDABBO -- 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 the use of a governmental agency to harass a person within the crime of aggravated harassment in the first degree

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

1 Section 1. Subdivisions 2 and 5 of section 240.31 of the penal law,
2 subdivision 2 as amended by chapter 49 of the laws of 2006 and subdivi-
3 sion 5 as added by chapter 74 of the laws of 2008, are amended to read
4 as follows:

5 2. Commits the crime of aggravated harassment in the second degree in
6 the manner proscribed by the provisions of subdivision three of section
7 240.30 of this article and has been previously convicted of the crime of
8 aggravated harassment in the second degree for the commission of conduct
9 proscribed by the provisions of subdivision three of section 240.30 of
10 this article or [~~he or she~~] such person has been previously convicted of
11 the crime of aggravated harassment in the first degree within the
12 preceding ten years; or

13 5. Either (a) unlawfully discloses confidential information concerning
14 another person such person intends to harass, annoy, threaten, or alarm
15 which such person obtained from a government agency or any political
16 subdivision of the state or municipality, in a manner likely to cause
17 annoyance or alarm; or (b) unlawfully causes personnel employed by a
18 governmental agency or any political subdivision of the state or muni-
19 city to contact or interact with another person such person intends to
20 harass, annoy, threaten, or alarm in an official capacity, in a manner
21 likely to cause annoyance or alarm; or

22 6. Etches, paints, draws upon or otherwise places or displays a noose,
23 commonly exhibited as a symbol of racism and intimidation, on any build-
24 ing or other real property, public or private, owned by any person, firm

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

LBD06946-01-5

1 or corporation or any public agency or instrumentality, without express
2 permission of the owner or operator of such building or real property.
3 § 2. This act shall take effect on the first of November next succeed-
4 ing the date on which it shall have become a law.