

STATE OF NEW YORK

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2025-2026 Regular Sessions

IN SENATE

February 24, 2025

Introduced by Sens. CHAN, BORRELLO, MATTERA -- 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 disorderly conduct

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

- 1 Section 1. Section 240.20 of the penal law is amended to read as
2 follows:
3 § 240.20 Disorderly conduct.
4 A person is guilty of disorderly conduct when, with intent to cause
5 public inconvenience, annoyance or alarm, or recklessly creating a risk
6 thereof such person:
7 1. [~~He~~] engages in fighting or in violent, tumultuous or threatening
8 behavior; or
9 2. [~~He~~] makes unreasonable noise; or
10 3. [~~In~~] in a public place, [~~he~~] uses abusive or obscene language, or
11 makes an obscene gesture; or
12 4. [~~Without~~] without lawful authority, [~~he~~] disturbs any lawful assem-
13 bly or meeting of persons; or
14 5. [~~He~~] obstructs vehicular or pedestrian traffic; or
15 6. [~~He~~] congregates with other persons in a public place and refuses
16 to comply with a lawful order of the police to disperse; or
17 7. [~~He~~] creates a hazardous or physically offensive condition by any
18 act which serves no legitimate purpose[~~-~~], including, but not limited,
19 littering; or
20 8. urinates or defecates in a public place; or
21 9. smokes any substance in a prohibited area; or
22 10. possesses an open container of alcohol in a public place; or
23 11. smokes marihuana in a public place; or
24 12. disobeys signage in any municipal or state park, including but not
25 limited to, printed notices and placards.

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

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1 For the purposes of this section, the term "public place" shall mean a
2 place to which the public or a substantial group of persons has access
3 including, but not limited to, any highway, street, road, sidewalk,
4 parking area, shopping area, place of amusement, playground, park or
5 beach, except that the definition of a public place shall not include
6 those premises duly licensed for the sale and consumption of alcoholic
7 beverages on the premises or within their own private property. Such
8 public place shall also include the interior of any stationary motor
9 vehicle which is on any highway, street, road, parking area, shopping
10 area, playground, park or beach located within the city.

11 Disorderly conduct is a violation.

12 § 2. This act shall take effect on the ninetieth day after it shall
13 have become a law.