

# STATE OF NEW YORK

5732

2025-2026 Regular Sessions

## IN SENATE

February 28, 2025

Introduced by Sen. SCARCELLA-SPANTON -- read twice and ordered printed,  
and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law and the civil rights law, in relation to  
creating the crime of aggravated offering of a false accusation  
against a police officer and creating a private right of action

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

1 Section 1. The penal law is amended by adding a new section 240.64 to  
2 read as follows:

3 § 240.64 Aggravated offering of a false accusation against a police  
4 officer or peace officer.

5 A person is guilty of aggravated offering of a false accusation  
6 against a police officer or peace officer when, knowing the information  
7 reported to be false or baseless, such person reports, by word or  
8 action, to a law enforcement officer or agency, wrongdoing by a police  
9 officer or peace officer in the performance of such officer's duties.  
10 Under this section, police officer and peace officer are as defined  
11 under section 1.20 of the criminal procedure law.

12 Aggravated offering of a false accusation against a police officer or  
13 peace officer is class D felony.

14 § 2. The civil rights law is amended by adding a new section 50-h to  
15 read as follows:

16 § 50-h. Private right of action; false accusation. A police officer  
17 or peace officer, or their representative, may bring an action to  
18 recover damages suffered by reason of a false accusation against such  
19 police officer or peace officer in violation of section 240.64 of the  
20 penal law. In any action brought under this section, the court may award  
21 reasonable attorney's fees to a prevailing plaintiff.

22 § 3. This act shall take effect immediately.

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

LBD01463-01-5