

STATE OF NEW YORK

7103

2025-2026 Regular Sessions

IN SENATE

April 1, 2025

Introduced by Sens. LANZA, MATTERA, OBERACKER, PALUMBO, STEC, WEIK --
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 criminal procedure law, in
relation to resisting arrest

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

- 1 Section 1. The closing paragraph of section 205.30 of the penal law,
2 as amended by chapter 843 of the laws of 1980, is amended to read as
3 follows:
4 Resisting arrest is a class [~~A misdemeanor~~] E felony.
5 § 2. Paragraph (a) of subdivision 1 of section 150.20 of the criminal
6 procedure law, as separately amended by section 1 of subpart B of of
7 part VV of chapter 56 of the laws of 2023 and chapter 23 of the laws of
8 2024, is amended to read as follows:
9 (a) Whenever a police officer is authorized pursuant to section 140.10
10 of this title to arrest a person without a warrant for an offense other
11 than a class A, B, C or D felony or a violation of section 130.25,
12 former section 130.40, section 205.10, 205.17, 205.19, 205.30 or 215.56
13 of the penal law, or other than where an arrest is required to be made
14 pursuant to subdivision four of section 140.10 of this title, the offi-
15 cer shall, except as set out in paragraph (b) of this subdivision,
16 subject to the provisions of subdivisions three and four of section
17 150.40 of this title, instead issue to and serve upon such person an
18 appearance ticket.
19 § 3. This act shall take effect immediately.

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

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