STATE OF NEW YORK

9438

IN SENATE

March 12, 2026

Introduced by Sen. COMRIE -- 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 unlawful surveillance in the first degree

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

Section 1. Section 250.50 of the penal law, as added by chapter 69 of the laws of 2003, is amended to read as follows:

§ 250.50 Unlawful surveillance in the first degree.

A person is guilty of unlawful surveillance in the first degree when [~~he or she~~] **such person:**

1. commits the crime of unlawful surveillance in the second degree and has been previously convicted within the past ten years of unlawful surveillance in the first or second degree**; or**

2. commits the crime of unlawful surveillance in the second degree against a person who has an active order of protection against them; or

3. commits the crime of unlawful surveillance in the second degree against a person with the intent to benefit a person who has an active order of protection against the person surveilled.

Unlawful surveillance in the first degree is a class D felony.

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

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

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