

641--B

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sens. GOLDEN, GALLIVAN, PARKER, ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to protecting employees of social services districts, local juvenile detention agencies, and persons involved in cases handled by such agencies from assault

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivisions 3 and 11 of section 120.05 of the penal law,
2 as separately amended by chapters 318 and 345 of the laws of 2010, are
3 amended to read as follows:
4 3. With intent to prevent a peace officer, a police officer, regis-
5 tered nurse, licensed practical nurse, sanitation enforcement agent, a
6 firefighter, including a firefighter acting as a paramedic or emergency
7 medical technician administering first aid in the course of performance
8 of duty as such firefighter, an emergency medical service paramedic or
9 emergency medical service technician, or medical or related personnel in
10 a hospital emergency department, a city marshal, a traffic enforcement
11 officer or traffic enforcement agent, OR EMPLOYEE OF A LOCAL SOCIAL
12 SERVICES DISTRICT OR EMPLOYEE AT A DETENTION FACILITY ADMINISTERED AND
13 OPERATED BY ANY COUNTY OR THE CITY OF NEW YORK PURSUANT TO THE
14 PROVISIONS OF ARTICLE NINETEEN-G OF THE EXECUTIVE LAW, from performing a
15 lawful duty, by means including releasing or failing to control an
16 animal under circumstances evincing the actor's intent that the animal
17 obstruct the lawful activity of such peace officer, police officer,
18 registered nurse, licensed practical nurse, sanitation enforcement
19 agent, firefighter, paramedic, technician, city marshal, traffic

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

LBD00451-04-1

1 enforcement officer or traffic enforcement agent, OR EMPLOYEE OF A LOCAL
2 SOCIAL SERVICES DISTRICT OR EMPLOYEE AT A DETENTION FACILITY ADMINIS-
3 TERED AND OPERATED BY ANY COUNTY OR THE CITY OF NEW YORK PURSUANT TO THE
4 PROVISIONS OF ARTICLE NINETEEN-G OF THE EXECUTIVE LAW, he or she causes
5 physical injury to such peace officer, police officer, registered nurse,
6 licensed practical nurse, sanitation enforcement agent, firefighter,
7 paramedic, technician or medical or related personnel in a hospital
8 emergency department, city marshal, traffic enforcement officer or traf-
9 fic enforcement agent, OR EMPLOYEE OF A LOCAL SOCIAL SERVICES DISTRICT
10 OR EMPLOYEE AT A DETENTION FACILITY ADMINISTERED AND OPERATED BY ANY
11 COUNTY OR THE CITY OF NEW YORK PURSUANT TO THE PROVISIONS OF ARTICLE
12 NINETEEN-G OF THE EXECUTIVE LAW; or

13 11. With intent to cause physical injury to a train operator, ticket
14 inspector, conductor, signalperson, bus operator or station agent
15 employed by any transit agency, authority or company, public or private,
16 whose operation is authorized by New York state or any of its political
17 subdivisions, a city marshal, a traffic enforcement officer, traffic
18 enforcement agent or sanitation enforcement agent, registered nurse or
19 licensed practical nurse, OR EMPLOYEE OF A LOCAL SOCIAL SERVICES
20 DISTRICT OR EMPLOYEE AT A DETENTION FACILITY ADMINISTERED AND OPERATED
21 BY ANY COUNTY OR THE CITY OF NEW YORK PURSUANT TO THE PROVISIONS OF
22 ARTICLE NINETEEN-G OF THE EXECUTIVE LAW, he or she causes physical inju-
23 ry to such train operator, ticket inspector, conductor, signalperson,
24 bus operator or station agent, city marshal, traffic enforcement offi-
25 cer, traffic enforcement agent, registered nurse or licensed practical
26 nurse [or], sanitation enforcement agent, OR EMPLOYEE OF A LOCAL SOCIAL
27 SERVICES DISTRICT OR EMPLOYEE AT A DETENTION FACILITY ADMINISTERED AND
28 OPERATED BY ANY COUNTY OR THE CITY OF NEW YORK PURSUANT TO THE
29 PROVISIONS OF ARTICLE NINETEEN-G OF THE EXECUTIVE LAW, while such
30 employee is performing an assigned duty on, or directly related to, the
31 operation of a train or bus, or such city marshal, traffic enforcement
32 officer, traffic enforcement agent, registered nurse or licensed practi-
33 cal nurse [or], sanitation enforcement agent, OR EMPLOYEE OF A LOCAL
34 SOCIAL SERVICES DISTRICT OR EMPLOYEE AT A DETENTION FACILITY ADMINIS-
35 TERED AND OPERATED BY ANY COUNTY OR THE CITY OF NEW YORK PURSUANT TO THE
36 PROVISIONS OF ARTICLE NINETEEN-G OF THE EXECUTIVE LAW, is performing an
37 assigned duty.

38 S 2. This act shall take effect on the first of November next succeed-
39 ing the date on which it shall have become a law.