

4672--A

2011-2012 Regular Sessions

I N A S S E M B L Y

February 4, 2011

Introduced by M. of A. P. RIVERA, STEVENSON, N. RIVERA -- Multi-Sponsored by -- M. of A. CALHOUN, SALADINO, TITONE -- read once and referred to the Committee on Codes -- 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. Section 120.05 of the penal law is amended by adding a new
2 subdivision 13 to read as follows:
3 13. (A) WITH INTENT TO CAUSE PHYSICAL INJURY TO AN EMPLOYEE OF A LOCAL
4 SOCIAL SERVICES DISTRICT OR A LOCAL JUVENILE DETENTION AGENCY WHILE SUCH
5 EMPLOYEE IS IN PERFORMANCE OF AN ASSIGNED DUTY PROVIDING, OR DIRECTLY
6 RELATED TO PROVIDING, PUBLIC ASSISTANCE AND CARE OR OTHER SERVICES THAT
7 FALL WITHIN THE JURISDICTION OF THE OFFICE OF CHILDREN AND FAMILY
8 SERVICES OR THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE, OR THAT
9 RELATE TO ANY HEAD START PROGRAM, HE OR SHE CAUSES PHYSICAL INJURY TO
10 SUCH EMPLOYEE; OR (B) HE OR SHE RECKLESSLY CAUSES PHYSICAL INJURY TO
11 SUCH EMPLOYEE WHILE SUCH EMPLOYEE IS IN THE PERFORMANCE OF SUCH DUTY; OR
12 (C) WITH CRIMINAL NEGLIGENCE, HE OR SHE CAUSES PHYSICAL INJURY TO SUCH
13 EMPLOYEE BY MEANS OF A DEADLY WEAPON OR A DANGEROUS INSTRUMENT WHILE
14 SUCH EMPLOYEE IS IN THE PERFORMANCE OF SUCH DUTY.
15 S 2. This act shall take effect on the ninetieth day after it shall
16 have become a law.

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

LBD00451-02-1