

4672--B

2011-2012 Regular Sessions

I N   A S S E M B L Y

February 4, 2011

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Introduced by M. of A. P. RIVERA, STEVENSON, N. RIVERA, JEFFRIES --  
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 commit-  
tee -- again reported from said committee with amendments, 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 ASSEM-  
BLY, 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  
20    enforcement officer or traffic enforcement agent, OR EMPLOYEE OF A LOCAL

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

LBD00451-05-1

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

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

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