

5642

2011-2012 Regular Sessions

I N S E N A T E

June 8, 2011

Introduced by Sen. ADAMS -- 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 establishing the offense of assault on an elected official

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

1 Section 1. The penal law is amended by adding a new section 120.09 to
2 read as follows:
3 S 120.09 ASSAULT ON AN ELECTED OFFICIAL.
4 1. FOR THE PURPOSES OF THIS SECTION, THE TERM "ELECTED OFFICIAL" SHALL
5 MEAN ANY PERSON WHO HOLDS A POSITION WITHIN ANY LEVEL OF STATE OR LOCAL
6 GOVERNMENT AFTER BEING ELECTED AT A GENERAL OR SPECIAL ELECTION.
7 2. A PERSON IS GUILTY OF ASSAULT ON AN ELECTED OFFICIAL WHEN, WITH
8 INTENT TO CAUSE SERIOUS PHYSICAL INJURY TO A PERSON WHOM HE OR SHE KNOWS
9 OR REASONABLY SHOULD KNOW TO BE AN ELECTED OFFICIAL ENGAGED IN THE
10 COURSE OF PERFORMING HIS OR HER OFFICIAL DUTIES, HE OR SHE CAUSES SERI-
11 OUS PHYSICAL INJURY TO SUCH ELECTED OFFICIAL.
12 ASSAULT ON AN ELECTED OFFICIAL IS A CLASS C FELONY.
13 S 2. This act shall take effect on the first of November next succeed-
14 ing the date on which 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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