S T A T E O F N E W Y O R K

6895--A

I N S E N A T E

March 27, 2014

Introduced by Sen. GOLDEN -- 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

AN ACT to amend the penal law, in relation to deeming assault on a station customer assistant, maintainer, cleaner or janitor while in performance of their assigned duties to be assault in the second degree

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

Section 1. Subdivision 11 of section 120.05 of the penal law, as amended by chapter 259 of the laws of 2013, is amended to read as follows:

11. With intent to cause physical injury to a train operator, ticket inspector, conductor, signalperson, bus operator [or], station agent, STATION CUSTOMER ASSISTANT, ANY PERSON WHOSE OFFICIAL DUTIES INCLUDE THE SALE OF TICKETS, PASSES, VOUCHERS OR OTHER PAYMENT OF FARE TO USE A TRAIN OR BUS, ANY PERSON WHOSE OFFICIAL DUTIES INCLUDE THE MAINTENANCE OR OPERATION OF A TRAIN OR BUS, OR ANY PERSON WHOSE OFFICIAL DUTIES INCLUDE THE MAINTENANCE OR OPERATION OF A TRAIN OR BUS STATION OR TERMINAL employed by any transit agency, authority or company, public or private, whose operation is authorized by New York state or any of its political subdivisions, a city marshal, a traffic enforcement officer, traffic enforcement agent, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, sanitation enforcement agent, New York city sanitation worker, registered nurse or licensed practical nurse he or she causes physical injury to such train operator, ticket inspector, conductor, signalperson, bus operator [or], station agent, STATION CUSTOMER ASSISTANT, ANY PERSON WHOSE OFFICIAL DUTIES INCLUDE THE SALE OF TICKETS, PASSES, VOUCHERS OR OTHER PAYMENT OF FARE TO USE A TRAIN OR BUS, ANY PERSON WHOSE OFFICIAL DUTIES INCLUDE THE MAINTENANCE OR OPERATION OF A TRAIN OR BUS, OR ANY PERSON WHOSE OFFICIAL DUTIES INCLUDE THE MAINTENANCE OR OPERATION OF A TRAIN OR BUS STATION OR TERMINAL, city marshal, traffic enforcement officer, traffic enforcement

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

LBD14552-02-4

agent, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, sanitation enforcement agent or New York city sanitation worker, while such employee is performing an assigned duty on, or directly related to, the operation of a train or bus, INCLUDING THE MAINTENANCE OF A TRAIN OR BUS STATION OR TERMINAL, or such city marshal, traffic enforcement officer, traffic enforcement agent, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, sanitation enforcement agent or New York city sanitation worker, is performing an assigned duty.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.