

7569

I N S E N A T E

May 15, 2014

Introduced by Sen. LANZA -- 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 the assault of a public health sanitarian

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 amended by chapter 259 of the laws of 2013, are amended to read as
3 follows:
4 3. With intent to prevent a peace officer, a police officer, prosecu-
5 tor as defined in subdivision thirty-one of section 1.20 of the criminal
6 procedure law, registered nurse, licensed practical nurse, PUBLIC HEALTH
7 SANITARIAN, NEW YORK CITY PUBLIC HEALTH SANITARIAN, sanitation enforce-
8 ment agent, New York city sanitation worker, a firefighter, including a
9 firefighter acting as a paramedic or emergency medical technician admin-
10 istering first aid in the course of performance of duty as such fire-
11 fighter, an emergency medical service paramedic or emergency medical
12 service technician, or medical or related personnel in a hospital emer-
13 gency department, a city marshal, a traffic enforcement officer or traf-
14 fic enforcement agent, from performing a lawful duty, by means including
15 releasing or failing to control an animal under circumstances evincing
16 the actor's intent that the animal obstruct the lawful activity of such
17 peace officer, police officer, prosecutor as defined in subdivision
18 thirty-one of section 1.20 of the criminal procedure law, registered
19 nurse, licensed practical nurse, PUBLIC HEALTH SANITARIAN, NEW YORK CITY
20 PUBLIC HEALTH SANITARIAN, sanitation enforcement agent, New York city
21 sanitation worker, firefighter, paramedic, technician, city marshal,
22 traffic enforcement officer or traffic enforcement agent, he or she
23 causes physical injury to such peace officer, police officer, prosecutor
24 as defined in subdivision thirty-one of section 1.20 of the criminal
25 procedure law, registered nurse, licensed practical nurse, PUBLIC HEALTH
26 SANITARIAN, NEW YORK CITY PUBLIC HEALTH SANITARIAN, sanitation enforce-
27 ment agent, New York city sanitation worker, firefighter, paramedic,
28 technician or medical or related personnel in a hospital emergency

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

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1 department, city marshal, traffic enforcement officer or traffic
2 enforcement agent; or

3 11. With intent to cause physical injury to a train operator, ticket
4 inspector, conductor, signalperson, bus operator or station agent
5 employed by any transit agency, authority or company, public or private,
6 whose operation is authorized by New York state or any of its political
7 subdivisions, a city marshal, a traffic enforcement officer, traffic
8 enforcement agent, prosecutor as defined in subdivision thirty-one of
9 section 1.20 of the criminal procedure law, PUBLIC HEALTH SANITARIAN,
10 NEW YORK CITY PUBLIC HEALTH SANITARIAN, sanitation enforcement agent,
11 New York city sanitation worker, registered nurse or licensed practical
12 nurse he or she causes physical injury to such train operator, ticket
13 inspector, conductor, signalperson, bus operator or station agent, city
14 marshal, traffic enforcement officer, traffic enforcement agent, prose-
15 cutor as defined in subdivision thirty-one of section 1.20 of the crimi-
16 nal procedure law, registered nurse, licensed practical nurse, PUBLIC
17 HEALTH SANITARIAN, NEW YORK CITY PUBLIC HEALTH SANITARIAN, sanitation
18 enforcement agent or New York city sanitation worker, while such employ-
19 ee is performing an assigned duty on, or directly related to, the opera-
20 tion of a train or bus, or such city marshal, traffic enforcement offi-
21 cer, traffic enforcement agent, prosecutor as defined in subdivision
22 thirty-one of section 1.20 of the criminal procedure law, registered
23 nurse, licensed practical nurse, PUBLIC HEALTH SANITARIAN, NEW YORK CITY
24 PUBLIC HEALTH SANITARIAN, sanitation enforcement agent or New York city
25 sanitation worker, is performing an assigned duty.

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