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

4093--B

2015-2016 Regular Sessions

I N A S S E M B L Y

January 29, 2015

Introduced by M. of A. ABBATE -- read once and referred to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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 assaulting a retired police officer

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

Section 1. Section 120.05 of the penal law is amended by adding a new subdivision 14 to read as follows:

14. WITH THE INTENT TO CAUSE PHYSICAL INJURY TO A SPECIFIC RETIRED POLICE OFFICER, AS POLICE OFFICER IS DEFINED PURSUANT TO SUBDIVISION THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, DUE TO A BELIEF REGARDING SUCH RETIRED POLICE OFFICER'S INVOLVEMENT IN A PREVIOUS ARREST OF SUCH PERSON WHILE ON ACTIVE DUTY, HE OR SHE CAUSES SUCH INJURY TO SUCH RETIRED POLICE OFFICER OR A THIRD PERSON.

S 2. Subdivision 4 of section 120.10 of the penal law, as amended by chapter 791 of the laws of 1967, is amended and a new subdivision 5 is added to read as follows:

4. In the course of and in furtherance of the commission or attempted commission of a felony or of immediate flight therefrom, he, or another participant if there be any, causes serious physical injury to a person other than one of the participants[.] ; OR

5. WITH INTENT TO CAUSE SERIOUS PHYSICAL INJURY TO A SPECIFIC RETIRED POLICE OFFICER, AS POLICE OFFICER IS DEFINED PURSUANT TO SUBDIVISION THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, DUE TO A BELIEF REGARDING SUCH RETIRED POLICE OFFICER'S INVOLVEMENT IN A PREVIOUS ARREST OF SUCH PERSON WHILE ON ACTIVE DUTY, HE OR SHE CAUSES SUCH INJURY TO SUCH RETIRED POLICE OFFICER OR TO A THIRD PERSON.

S 3. This act shall take effect on the ninetieth day after 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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