

4550--A

2015-2016 Regular Sessions

I N   S E N A T E

March 27, 2015

---

Introduced by Sens. PARKER, AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- recommended to the Committee on Codes in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to assaults upon station cleaners and terminal cleaners

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

1     Section 1. Subdivision 11 of section 120.05 of the penal law, as  
2 amended by chapter 487 of the laws of 2015, is amended to read as  
3 follows:  
4     11. With intent to cause physical injury to a train operator, ticket  
5 inspector, conductor, signalperson, bus operator or station agent  
6 employed by any transit agency, STATION CLEANER OR TERMINAL CLEANER,  
7 authority or company, public or private, whose operation is authorized  
8 by New York state or any of its political subdivisions, a city marshal,  
9 a school crossing guard appointed pursuant to section two hundred  
10 eight-a of the general municipal law, a traffic enforcement officer,  
11 traffic enforcement agent, STATION CLEANER OR TERMINAL CLEANER, prosecu-  
12 tor as defined in subdivision thirty-one of section 1.20 of the criminal  
13 procedure law, sanitation enforcement agent, New York city sanitation  
14 worker, registered nurse, licensed practical nurse, emergency medical  
15 service paramedic, or emergency medical service technician, he or she  
16 causes physical injury to such train operator, ticket inspector, conduc-  
17 tor, signalperson, bus operator or station agent, city marshal, school  
18 crossing guard appointed pursuant to section two hundred eight-a of the  
19 general municipal law, traffic enforcement officer, traffic enforcement  
20 agent, prosecutor as defined in subdivision thirty-one of section 1.20  
21 of the criminal procedure law, registered nurse, licensed practical  
22 nurse, sanitation enforcement agent, New York city sanitation worker,

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

LBD10192-04-6

1 emergency medical service paramedic, or emergency medical service tech-  
2 nician, while such employee is performing an assigned duty on, or  
3 directly related to, the operation of a train or bus, or such city  
4 marshal, school crossing guard, traffic enforcement officer, traffic  
5 enforcement agent, prosecutor as defined in subdivision thirty-one of  
6 section 1.20 of the criminal procedure law, registered nurse, licensed  
7 practical nurse, sanitation enforcement agent, New York city sanitation  
8 worker, emergency medical service paramedic, or emergency medical  
9 service technician is performing an assigned duty.

10 S 2. Subdivision 11 of section 120.05 of the penal law, as separately  
11 amended by chapters 472 and 487 of the laws of 2015, is amended to read  
12 as follows:

13 11. With intent to cause physical injury to a train operator, ticket  
14 inspector, conductor, signalperson, bus operator or station agent  
15 employed by any transit agency, STATION CLEANER OR TERMINAL CLEANER,  
16 authority or company, public or private, whose operation is authorized  
17 by New York state or any of its political subdivisions, a city marshal,  
18 a school crossing guard appointed pursuant to section two hundred  
19 eight-a of the general municipal law, a traffic enforcement officer,  
20 traffic enforcement agent, prosecutor as defined in subdivision thirty-  
21 one of section 1.20 of the criminal procedure law, sanitation enforce-  
22 ment agent, New York city sanitation worker, public health sanitarian,  
23 New York city public health sanitarian, registered nurse, licensed prac-  
24 tical nurse, emergency medical service paramedic, or emergency medical  
25 service technician, he or she causes physical injury to such train  
26 operator, ticket inspector, conductor, signalperson, bus operator or  
27 station agent, city marshal, school crossing guard appointed pursuant to  
28 section two hundred eight-a of the general municipal law, traffic  
29 enforcement officer, traffic enforcement agent, STATION CLEANER OR  
30 TERMINAL CLEANER, prosecutor as defined in subdivision thirty-one of  
31 section 1.20 of the criminal procedure law, registered nurse, licensed  
32 practical nurse, public health sanitarian, New York city public health  
33 sanitarian, sanitation enforcement agent, New York city sanitation work-  
34 er, emergency medical service paramedic, or emergency medical service  
35 technician, while such employee is performing an assigned duty on, or  
36 directly related to, the operation of a train or bus, or such city  
37 marshal, school crossing guard, traffic enforcement officer, traffic  
38 enforcement agent, prosecutor as defined in subdivision thirty-one of  
39 section 1.20 of the criminal procedure law, registered nurse, licensed  
40 practical nurse, public health sanitarian, New York city public health  
41 sanitarian, sanitation enforcement agent, New York city sanitation work-  
42 er, emergency medical service paramedic, or emergency medical service  
43 technician is performing an assigned duty.

44 S 3. This act shall take effect on the first of November next succeed-  
45 ing the date upon which it shall have become a law; provided, however,  
46 if chapter 472 of the laws of 2015 shall not have taken effect on or  
47 before such date then section two of this act shall take effect on the  
48 same date and in the same manner as such chapter of the laws of 2015,  
49 takes effect.