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

4404

2009-2010 Regular Sessions

I N A S S E M B L Y

February 4, 2009

Introduced by M. of A. HYER-SPENCER, KOLB, LUPARDO, McDONOUGH, KOON, BENEDETTO, JAFFEE, LAVINE, P. RIVERA, CLARK, ERRIGO, GUNTHER, WALKER, FINCH, V. LOPEZ, SPANO, McKEVITT, ALFANO, BALL, HOOPER -- Multi-Sponsored by -- M. of A. BACALLES, BARRA, CALHOUN, CROUCH, CUSICK, GALEF, GIGLIO, MAGEE, MARKEY, MAYERSOHN, MILLER, PHEFFER, QUINN, SEMINERIO, STIRPE, THIELE, TOWNS, WEISENBERG -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to making conviction of assault of a social worker a felony

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

Section 1. Section 120.08 of the penal law, as added by chapter 632 of the laws of 1996, is amended to read as follows:

S 120.08 Assault on a peace officer, police officer, fireman [or], emergency medical services professional OR SOCIAL WORKER.

A person is guilty of assault on a peace officer, police officer, fireman [or], emergency medical services professional OR SOCIAL WORKER when, with intent to prevent a peace officer, police officer, a fireman, including a fireman acting as a paramedic or emergency medical technician administering first aid in the course of performance of duty as such fireman, [or] an emergency medical service paramedic or emergency medical service technician[,] OR SOCIAL WORKER from performing a lawful duty, he OR SHE causes serious physical injury to such peace officer, police officer, fireman, paramedic [or], technician OR SOCIAL WORKER.

Assault on a peace officer, police officer, fireman [or], emergency medical services professional OR SOCIAL WORKER is a class C felony.

S 2. This act shall take effect on the first of November next succeeding 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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