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

6618

2009-2010 Regular Sessions

I N A S S E M B L Y

March 6, 2009

Introduced by M. of A. COOK, ORTIZ, PHEFFER -- Multi-Sponsored by -- M. of A. ALFANO, COLTON, GALEF, HOOPER, V. LOPEZ, SCARBOROUGH, WRIGHT -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to establishing the crime of aggravated assault upon a railroad clerk or token booth attendant

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

Section 1. The penal law is amended by adding a new section 120.09 to read as follows:

S 120.09 AGGRAVATED ASSAULT UPON A RAILROAD CLERK OR TOKEN BOOTH ATTENDANT.

A PERSON IS GUILTY OF AGGRAVATED ASSAULT UPON A RAILROAD CLERK OR TOKEN BOOTH ATTENDANT WHEN, WITH INTENT TO CAUSE SERIOUS PHYSICAL INJURY TO A PERSON WHOM HE KNOWS OR REASONABLY SHOULD KNOW TO BE A RAILROAD CLERK OR TOKEN BOOTH ATTENDANT ENGAGED IN THE COURSE OF PERFORMING HIS OFFICIAL DUTIES, HE CAUSES SUCH INJURY BY MEANS OF A DEADLY WEAPON WHEN SUCH WEAPON IS A FIREARM.

AGGRAVATED ASSAULT UPON A RAILROAD CLERK OR TOKEN BOOTH ATTENDANT IS A CLASS B FELONY.

S 2. This act shall take effect on the ninetieth day 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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