

7046

2009-2010 Regular Sessions

I N A S S E M B L Y

March 19, 2009

Introduced by M. of A. BALL -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to aggravated harassment of peace officers or police officers

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

1 Section 1. The penal law is amended by adding a new section 240.33 to
2 read as follows:
3 S 240.33 AGGRAVATED HARASSMENT OF A POLICE OFFICER OR PEACE OFFICER.
4 A PERSON IS GUILTY OF AGGRAVATED HARASSMENT OF A POLICE OFFICER OR
5 PEACE OFFICER WHEN HE OR SHE INTENTIONALLY AND REPEATEDLY HARASSES A
6 POLICE OFFICER OR A PEACE OFFICER, OR MEMBERS OF THEIR IMMEDIATE FAMILY,
7 BY FOLLOWING SUCH POLICE OFFICER OR PEACE OFFICER OR MEMBERS OF THEIR
8 IMMEDIATE FAMILY IN OR ABOUT A PUBLIC PLACE OR PLACES OR BY ENGAGING IN
9 A COURSE OF CONDUCT OR BY REPEATEDLY COMMITTING ACTS WHICH PLACES SUCH
10 POLICE OFFICER OR PEACE OFFICER OR MEMBERS OF THEIR IMMEDIATE FAMILY IN
11 REASONABLE FEAR OF PHYSICAL INJURY. FOR PURPOSES OF THIS SECTION, THE
12 TERM "MEMBERS OF THEIR IMMEDIATE FAMILY" SHALL MEAN THE SPOUSE, FORMER
13 SPOUSE, PARENT, CHILD, SIBLING OR ANY OTHER PERSON WHO REGULARLY RESIDES
14 OR HAS REGULARLY RESIDED IN THE HOUSEHOLD OF A POLICE OFFICER OR PEACE
15 OFFICER.
16 AGGRAVATED HARASSMENT OF A POLICE OFFICER OR PEACE OFFICER IS A CLASS
17 E FELONY.
18 S 2. This act shall take effect on the first of November next succeed-
19 ing 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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