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

943

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. McDONOUGH, KOLB, ERRIGO, FINCH -- Multi-Sponsored by -- M. of A. CALHOUN, RABBITT -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to establishing the crime of aggravated robbery of a police or peace officer

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 two new sections 160.20 and 160.25 to read as follows:

S 160.20 AGGRAVATED ROBBERY OF A POLICE OR PEACE OFFICER IN THE SECOND DEGREE.

A PERSON IS GUILTY OF AGGRAVATED ROBBERY OF A POLICE OR PEACE OFFICER IN THE SECOND DEGREE WHEN HE OR SHE FORCIBLY REMOVES A PIECE OF EQUIPMENT FROM THE OFFICER'S PERSON OR POSSESSION.

AGGRAVATED ROBBERY OF A POLICE OR PEACE OFFICER IN THE SECOND DEGREE IS A CLASS C FELONY.

S 160.25 AGGRAVATED ROBBERY OF A POLICE OR PEACE OFFICER IN THE FIRST DEGREE.

A PERSON IS GUILTY OF AGGRAVATED ROBBERY OF A POLICE OR PEACE OFFICER IN THE FIRST DEGREE WHEN HE OR SHE COMMITS AGGRAVATED ROBBERY OF A POLICE OR PEACE OFFICER IN THE SECOND DEGREE AND WHEN:

1. THE PIECE OF EQUIPMENT IS A FIREARM AS DEFINED IN SECTION 265.00 OF THIS PART; OR

2. HE OR SHE CAUSES PHYSICAL INJURY TO SUCH POLICE OR PEACE OFFICER.

AGGRAVATED ROBBERY OF A POLICE OR PEACE OFFICER IN THE FIRST DEGREE IS A CLASS B 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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