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

4007

2009-2010 Regular Sessions

I N S E N A T E

April 7, 2009

Introduced by Sen. MORAHAN -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to enhancing the criminal penalty for assaulting medical doctors, nurses and nurses' aides

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

Section 1. Section 120.05 of the penal law is amended by adding a new subdivision 13 to read as follows:

13. (A) WITH INTENT TO CAUSE PHYSICAL INJURY TO A MEDICAL DOCTOR, NURSE OR NURSE'S AIDE WHILE SUCH EMPLOYEE IS IN PERFORMANCE OF AN ASSIGNED DUTY PROVIDING, OR DIRECTLY RELATED TO PROVIDING CARE, HE OR SHE CAUSES PHYSICAL INJURY TO SUCH MEDICAL DOCTOR, NURSE OR NURSE'S AIDE; OR (B) HE OR SHE RECKLESSLY CAUSES PHYSICAL INJURY TO SUCH MEDICAL DOCTOR, NURSE OR NURSE'S AIDE; OR (C) WITH CRIMINAL NEGLIGENCE, HE OR SHE CAUSES PHYSICAL INJURY TO SUCH MEDICAL DOCTOR, NURSE OR NURSE'S AIDE BY MEANS OF A DEADLY WEAPON OR A DANGEROUS INSTRUMENT.

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