

S T A T E   O F   N E W   Y O R K

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8080

2009-2010 Regular Sessions

I N   A S S E M B L Y

May 4, 2009

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

AN ACT to amend the penal law, in relation to assaults on department of sanitation workers

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

1     Section 1. Subdivisions 3 and 11 of section 120.05 of the penal law,  
2 as amended by chapter 45 of the laws of 2008, are amended to read as  
3 follows:  
4     3. With intent to prevent a peace officer, a police officer, a fire-  
5 fighter, including a firefighter acting as a paramedic or emergency  
6 medical technician administering first aid in the course of performance  
7 of duty as such firefighter, an emergency medical service paramedic or  
8 emergency medical service technician, or medical or related personnel in  
9 a hospital emergency department, A DEPARTMENT OF SANITATION WORKER, a  
10 city marshal, a traffic enforcement officer or traffic enforcement  
11 agent, from performing a lawful duty, by means including releasing or  
12 failing to control an animal under circumstances evincing the actor's  
13 intent that the animal obstruct the lawful activity of such peace offi-  
14 cer, police officer, firefighter, paramedic, technician, SANITATION  
15 WORKER, city marshal, traffic enforcement officer or traffic enforcement  
16 agent, he or she causes physical injury to such peace officer, police  
17 officer, firefighter, paramedic, technician or medical or related  
18 personnel in a hospital emergency department, SANITATION WORKER, city  
19 marshal, traffic enforcement officer or traffic enforcement agent; or  
20     11. With intent to cause physical injury to a train operator, ticket  
21 inspector, conductor, signalperson, bus operator or station agent  
22 employed by any transit agency, authority or company, public or private,  
23 whose operation is authorized by New York state or any of its political  
24 subdivisions, A DEPARTMENT OF SANITATION WORKER, a city marshal, a traf-  
25 fic enforcement officer or traffic enforcement agent, he or she causes

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 physical injury to such train operator, ticket inspector, conductor,  
2 signalperson, bus operator or station agent, SANITATION WORKER, city  
3 marshal, traffic enforcement officer or traffic enforcement agent while  
4 such employee is performing an assigned duty on, or directly related to,  
5 the operation of a train or bus, or such SANITATION WORKER, city  
6 marshal, traffic enforcement officer or traffic enforcement agent is  
7 performing an assigned duty.

8 S 2. This act shall take effect on the ninetieth day after it shall  
9 have become a law.