

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

8080--A

2009-2010 Regular Sessions

I N A S S E M B L Y

May 4, 2009

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

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 NURSING PROFESSIONAL INCLUDING NURSE PRACTITIONERS, CERTIFIED OR
11 LICENSED NURSE PRACTITIONERS, CERTIFIED NURSING ASSISTANTS AND LICENSED
12 PRACTICAL NURSES, a city marshal, a traffic enforcement officer or traf-
13 fic enforcement agent, from performing a lawful duty, by means including
14 releasing or failing to control an animal under circumstances evincing
15 the actor's intent that the animal obstruct the lawful activity of such
16 peace officer, police officer, firefighter, paramedic, technician, SANI-
17 TATION WORKER, NURSING PROFESSIONAL, city marshal, traffic enforcement
18 officer or traffic enforcement agent, he or she causes physical injury
19 to such peace officer, police officer, firefighter, paramedic, techni-
20 cian or medical or related personnel in a hospital emergency department,
21 SANITATION WORKER, NURSING PROFESSIONAL, city marshal, traffic enforce-
22 ment officer or traffic enforcement agent; or

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

LBD11543-02-0

1 11. With intent to cause physical injury to a train operator, ticket
2 inspector, conductor, signalperson, bus operator or station agent
3 employed by any transit agency, authority or company, public or private,
4 whose operation is authorized by New York state or any of its political
5 subdivisions, A DEPARTMENT OF SANITATION WORKER, A NURSING PROFESSIONAL
6 INCLUDING NURSE PRACTITIONERS, CERTIFIED OR LICENSED NURSE PRACTITION-
7 ERS, CERTIFIED NURSING ASSISTANTS AND LICENSED PRACTICAL NURSES, a city
8 marshal, a traffic enforcement officer or traffic enforcement agent, he
9 or she causes physical injury to such train operator, ticket inspector,
10 conductor, signalperson, bus operator or station agent, SANITATION WORK-
11 ER, NURSING PROFESSIONAL, city marshal, traffic enforcement officer or
12 traffic enforcement agent while such employee is performing an assigned
13 duty on, or directly related to, the operation of a train or bus, or
14 such SANITATION WORKER, NURSING PROFESSIONAL, city marshal, traffic
15 enforcement officer or traffic enforcement agent is performing an
16 assigned duty.

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