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

8081

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

AN ACT to amend the penal law, in relation to assaults on nursing professionals

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

Section 1. Subdivisions 3 and 11 of section 120.05 of the penal law, as amended by chapter 45 of the laws of 2008, are amended to read as follows:

3. With intent to prevent a peace officer, a police officer, a firefighter, including a firefighter acting as a paramedic or emergency medical technician administering first aid in the course of performance of duty as such firefighter, an emergency medical service paramedic or emergency medical service technician, or medical or related personnel in a hospital emergency department, A NURSING PROFESSIONAL INCLUDING NURSE PRACTITIONERS, CERTIFIED OR LICENSED NURSE PRACTITIONERS, CERTIFIED NURSING ASSISTANTS AND LICENSED PRACTICAL NURSES, a city marshal, a traffic enforcement officer or traffic enforcement agent, from performing a lawful duty, by means including releasing or failing to control an animal under circumstances evincing the actor's intent that the animal obstruct the lawful activity of such peace officer, police officer, firefighter, paramedic, technician, NURSING PROFESSIONAL, city marshal, traffic enforcement officer or traffic enforcement agent, he or she causes physical injury to such peace officer, police officer, firefighter, paramedic, technician or medical or related personnel in a hospital emergency department, NURSING PROFESSIONAL, city marshal, traffic enforcement officer or traffic enforcement agent; or

11. With intent to cause physical injury to a train operator, ticket inspector, conductor, signalperson, bus operator or station agent employed by any transit agency, authority or company, public or private, whose operation is authorized by New York state or any of its political

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

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subdivisions, A NURSING PROFESSIONAL INCLUDING NURSE PRACTITIONERS, CERTIFIED OR LICENSED NURSE PRACTITIONERS, CERTIFIED NURSING ASSISTANTS AND LICENSED PRACTICAL NURSES, a city marshal, a traffic enforcement officer or traffic enforcement agent, he or she causes physical injury to such train operator, ticket inspector, conductor, signalperson, bus operator or station agent, NURSING PROFESSIONAL, city marshal, traffic enforcement officer or traffic enforcement agent while such employee is performing an assigned duty on, or directly related to, the operation of a train or bus, or such NURSING PROFESSIONAL, city marshal, traffic enforcement officer or traffic enforcement agent is performing an assigned duty.

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