

8924

2009-2010 Regular Sessions

I N A S S E M B L Y

June 16, 2009

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

AN ACT to amend the penal law, in relation to the crime of aggravated
interference with health care services

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

1 Section 1. Section 240.71 of the penal law, as added by chapter 635 of
2 the laws of 1999, is amended to read as follows:
3 S 240.71 Criminal interference with health care services or religious
4 worship in the first degree.
5 A person is guilty of criminal interference with health care services
6 or religious worship in the first degree when he or she commits the
7 crime of criminal interference with health care services or religious
8 worship in the second degree and has been previously convicted of the
9 crime of criminal interference with health care services or religious
10 worship in the first or second degree OR AGGRAVATED INTERFERENCE WITH
11 HEALTH CARE SERVICES IN THE FIRST OR SECOND DEGREE.
12 Criminal interference with health care services or religious worship
13 in the first degree is a class E felony.
14 S 2. The penal law is amended by adding two new sections 240.72 and
15 240.73 to read as follows:
16 S 240.72 AGGRAVATED INTERFERENCE WITH HEALTH CARE SERVICES IN THE SECOND
17 DEGREE.
18 A PERSON IS GUILTY OF THE CRIME OF AGGRAVATED INTERFERENCE WITH HEALTH
19 CARE SERVICES IN THE SECOND DEGREE WHEN HE OR SHE COMMITS THE CRIME OF
20 CRIMINAL INTERFERENCE WITH HEALTH CARE SERVICES OR RELIGIOUS WORSHIP IN
21 VIOLATION OF PARAGRAPH (A) OF SUBDIVISION ONE OF SECTION 240.70 OF THIS
22 ARTICLE AND THEREBY CAUSES PHYSICAL INJURY TO SUCH OTHER PERSON WHO WAS
23 OBTAINING OR PROVIDING, OR WAS ASSISTING ANOTHER PERSON TO OBTAIN OR
24 PROVIDE REPRODUCTIVE HEALTH SERVICES.

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

LBD14365-01-9

1 AGGRAVATED INTERFERENCE WITH HEALTH CARE SERVICES IN THE SECOND DEGREE
2 IS A CLASS E FELONY.
3 S 240.73 AGGRAVATED INTERFERENCE WITH HEALTH CARE SERVICES IN THE FIRST
4 DEGREE.
5 A PERSON IS GUILTY OF THE CRIME OF AGGRAVATED INTERFERENCE WITH HEALTH
6 CARE SERVICES IN THE FIRST DEGREE WHEN HE OR SHE COMMITS THE CRIME OF
7 CRIMINAL INTERFERENCE WITH HEALTH CARE SERVICES OR RELIGIOUS WORSHIP IN
8 VIOLATION OF PARAGRAPH (A) OF SUBDIVISION ONE OF SECTION 240.70 OF THIS
9 ARTICLE AND THEREBY CAUSES SERIOUS PHYSICAL INJURY TO SUCH OTHER PERSON
10 WHO WAS OBTAINING OR PROVIDING, OR WHO WAS ASSISTING ANOTHER PERSON TO
11 OBTAIN OR PROVIDE REPRODUCTIVE HEALTH SERVICES.
12 AGGRAVATED INTERFERENCE WITH HEALTH CARE SERVICES IN THE FIRST DEGREE
13 IS A CLASS C FELONY.
14 S 3. This act shall take effect on the ninetieth day after it shall
15 have become a law.