

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

1967

2009-2010 Regular Sessions

I N S E N A T E

February 10, 2009

Introduced by Sen. STACHOWSKI -- 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 the definition of assault
in the second degree

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

1 Section 1. Subdivision 3 of section 120.05 of the penal law, as
2 amended by chapter 45 of the laws of 2008, is 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, PUBLIC HEALTH INSPECTOR OR BUILD-
9 ING INSPECTION OFFICER, or medical or related personnel in a hospital
10 emergency department, a city marshal, a traffic enforcement officer or
11 traffic enforcement agent, from performing a lawful duty, by means
12 including releasing or failing to control an animal under circumstances
13 evincing the actor's intent that the animal obstruct the lawful activity
14 of such peace officer, police officer, firefighter, paramedic, INSPEC-
15 TOR, INSPECTION OFFICER, technician, city marshal, traffic enforcement
16 officer or traffic enforcement agent, he or she causes physical injury
17 to such peace officer, police officer, firefighter, paramedic, INSPEC-
18 TOR, INSPECTION OFFICER, technician or medical or related personnel in a
19 hospital emergency department, city marshal, traffic enforcement officer
20 or traffic enforcement agent; or
21 S 2. This act shall take effect on the first of November next succeed-
22 ing the date on which 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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