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

3213

2011-2012 Regular Sessions

I N A S S E M B L Y

January 24, 2011

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 and 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 separately amended by chapters 318 and 345 of the laws of 2010, are amended to read as follows:

3. With intent to prevent a peace officer, a police officer, [registered] A NURSING PROFESSIONAL INCLUDING NURSE PRACTITIONERS, CERTIFIED OR LICENSED nurse PRACTITIONERS, CERTIFIED NURSING ASSISTANTS AND licensed practical [nurse] NURSES, sanitation enforcement agent OR DEPARTMENT OF SANITATION WORKER, 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 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, [registered nurse, licensed practical nurse] NURSING PROFESSIONAL, sanitation enforcement agent OR DEPARTMENT OF SANITATION WORKER, firefighter, paramedic, technician, city marshal, traffic enforcement officer or traffic enforcement agent, he or she causes physical injury to such peace officer, police officer, [registered nurse, licensed practical nurse] NURSING PROFESSIONAL, sanitation enforcement agent OR DEPARTMENT OF SANITATION WORKER, firefighter, paramedic, technician or medical or related personnel in a hospital emergency depart-

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

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ment, 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 subdivisions, a city marshal, a traffic enforcement officer, traffic enforcement agent, DEPARTMENT OF SANITATION WORKER or sanitation enforcement agent, [registered] A NURSING PROFESSIONAL INCLUDING nurse PRACTITIONERS, CERTIFIED or licensed NURSE PRACTITIONERS, CERTIFIED NURSING ASSISTANTS AND LICENSED practical [nurse] NURSES, he or she causes physical injury to such train operator, ticket inspector, conductor, signalperson, bus operator or station agent, city marshal, traffic enforcement officer, traffic enforcement agent, [registered nurse or licensed practical nurse] NURSING PROFESSIONAL or sanitation enforcement agent OR DEPARTMENT OF SANITATION WORKER, while such employee is performing an assigned duty on, or directly related to, the operation of a train or bus, or such city marshal, traffic enforcement officer, traffic enforcement agent, [registered nurse or licensed practical nurse] NURSING PROFESSIONAL or sanitation enforcement agent OR DEPARTMENT OF SANITATION WORKER is performing an assigned duty.

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