

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

477--A

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. GUNTHER, CROUCH, P. RIVERA, COLTON -- Multi-Sponsored by -- M. of A. MAGEE, McKEVITT, RUSSELL -- 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 the aggravated harassment of an employee by an inmate

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

1 Section 1. The first undesignated paragraph of section 240.32 of the
2 penal law, as amended by section 127-p of subpart B of part C of chapter
3 62 of the laws of 2011, is amended to read as follows:
4 An inmate or respondent is guilty of aggravated harassment of an
5 employee by an inmate when, with intent to harass, annoy, threaten or
6 alarm a person in a facility whom he or she knows or reasonably should
7 know to be an employee of such facility or the board of parole or the
8 office of mental health, or a probation department, bureau or unit or a
9 police officer, he or she causes or attempts to cause such employee to
10 come into contact with blood, SALIVA, seminal fluid, urine or feces, OR
11 OTHER BODILY SECRETION OR EXCRETION OR THE CONTENTS OF A TOILET BOWL, by
12 throwing, tossing [or], EXPECTORATING, expelling OR PLACING such fluid
13 or material AT OR ON SUCH EMPLOYEE.
14 S 2. This act shall take effect on the first of November next succeeding
15 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.

LBD01903-03-2