

5747

2011-2012 Regular Sessions

I N A S S E M B L Y

February 28, 2011

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

AN ACT to amend the penal law, in relation to assaulting a retired
police officer

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

1 Section 1. Section 120.10 of the penal law is amended by adding a new
2 subdivision 5 to read as follows:
3 5. WITH INTENT TO CAUSE SERIOUS PHYSICAL INJURY, HE OR SHE INTEN-
4 TIONALLY SELECTS A RETIRED POLICE OFFICER, AS POLICE OFFICER IS DEFINED
5 PURSUANT TO SUBDIVISION THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL
6 PROCEDURE LAW, AGAINST WHOM THE OFFENSE IS COMMITTED OR INTENDED TO BE
7 COMMITTED IN WHOLE OR IN SUBSTANTIAL PART BECAUSE OF A BELIEF OR PERCEP-
8 TION REGARDING SUCH RETIRED POLICE OFFICER'S INVOLVEMENT IN A PREVIOUS
9 ARREST OF SUCH PERSON WHILE ON ACTIVE DUTY.
10 S 2. This act shall take effect on the ninetieth day after it shall
11 have become a law.

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

LBD05467-01-1