

4717

2011-2012 Regular Sessions

I N S E N A T E

April 15, 2011

Introduced by Sen. RITCHIE -- 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 definitions of aggravated and first degree murder

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

1 Section 1. Paragraph a of subdivision 1 of section 125.26 of the penal
2 law is amended by adding a new subparagraph (ii-a) to read as follows:
3 (II-A) THE INTENDED VICTIM WAS A FIREFIGHTER, VOLUNTEER FIREFIGHTER,
4 EMERGENCY MEDICAL TECHNICIAN, AMBULANCE DRIVER, PARAMEDIC, PHYSICIAN OR
5 NURSE INVOLVED IN A FIRST RESPONSE TEAM, OR ANY OTHER INDIVIDUAL WHO, IN
6 THE COURSE OF OFFICIAL DUTIES, PERFORMS EMERGENCY RESPONSE ACTIVITIES
7 AND WAS ENGAGED IN SUCH ACTIVITIES AT THE TIME OF KILLING AND THE
8 DEFENDANT KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE INTENDED VICTIM
9 WAS SUCH UNIFORMED FIREFIGHTER, VOLUNTEER FIREFIGHTER, EMERGENCY MEDICAL
10 TECHNICIAN, AMBULANCE DRIVER, PARAMEDIC, PHYSICIAN OR NURSE; OR
11 S 2.Paragraph a of subdivision 1 of section 125.27 of the penal law is
12 amended by adding a new subparagraph (ii-a) to read as follows:
13 (II-A) THE INTENDED VICTIM WAS A FIREFIGHTER, VOLUNTEER FIREFIGHTER,
14 EMERGENCY MEDICAL TECHNICIAN, AMBULANCE DRIVER, PARAMEDIC, PHYSICIAN OR
15 NURSE INVOLVED IN A FIRST RESPONSE TEAM, OR ANY OTHER INDIVIDUAL WHO, IN
16 THE COURSE OF OFFICIAL DUTIES, PERFORMS EMERGENCY RESPONSE ACTIVITIES
17 AND WAS ENGAGED IN SUCH ACTIVITIES AT THE TIME OF KILLING AND THE
18 DEFENDANT KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE INTENDED VICTIM
19 WAS SUCH UNIFORMED FIREFIGHTER, VOLUNTEER FIREFIGHTER, EMERGENCY MEDICAL
20 TECHNICIAN, AMBULANCE DRIVER, PARAMEDIC, PHYSICIAN OR NURSE; OR
21 S 3. This act shall take effect immediately.

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

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