

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

4717--A

Cal. No. 1070

2011-2012 Regular Sessions

I N S E N A T E

April 15, 2011

Introduced by Sens. RITCHIE, GRIFFO, LIBOUS -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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

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

LBD08343-04-1