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

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I N S E N A T E

June 15, 2012

Introduced by Sens. GOLDEN, SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the penal law, in relation to protecting employees of local social services districts from assault

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

Section 1. Section 120.05 of the penal law is amended by adding two new subdivisions 3-a and 11-a to read as follows:

3-A. WITH INTENT TO PREVENT AN EMPLOYEE OF A LOCAL SOCIAL SERVICES DISTRICT DIRECTLY INVOLVED IN INVESTIGATION OF OR RESPONSE TO ALLEGED ABUSE OR NEGLECT OF A CHILD, A VULNERABLE ELDERLY PERSON OR AN INCOMPETENT OR PHYSICALLY DISABLED PERSON, FROM PERFORMING SUCH INVESTIGATION OR RESPONSE, THE ACTOR, NOT BEING SUCH CHILD, VULNERABLE ELDERLY PERSON OR INCOMPETENT OR PHYSICALLY DISABLED PERSON, OR WITH INTENT TO PREVENT AN EMPLOYEE OF A LOCAL SOCIAL SERVICES DISTRICT DIRECTLY INVOLVED IN PROVIDING PUBLIC ASSISTANCE AND CARE FROM PERFORMING HIS OR HER JOB, CAUSES PHYSICAL INJURY TO SUCH EMPLOYEE INCLUDING BY MEANS OF RELEASING OR FAILING TO CONTROL AN ANIMAL UNDER CIRCUMSTANCES EVINCING THE ACTOR'S INTENT THAT THE ANIMAL OBSTRUCT THE LAWFUL ACTIVITIES OF SUCH EMPLOYEE; OR

11-A. WITH INTENT TO CAUSE PHYSICAL INJURY TO AN EMPLOYEE OF A LOCAL SOCIAL SERVICES DISTRICT DIRECTLY INVOLVED IN INVESTIGATION OF OR RESPONSE TO ALLEGED ABUSE OR NEGLECT OF A CHILD, VULNERABLE ELDERLY PERSON OR AN INCOMPETENT OR PHYSICALLY DISABLED PERSON, THE ACTOR, NOT BEING SUCH CHILD, VULNERABLE ELDERLY PERSON OR INCOMPETENT OR PHYSICALLY DISABLED PERSON, OR WITH INTENT TO PREVENT AN EMPLOYEE OF A LOCAL SOCIAL SERVICES DISTRICT DIRECTLY INVOLVED IN PROVIDING PUBLIC ASSISTANCE AND CARE FROM PERFORMING HIS OR HER JOB, CAUSES PHYSICAL INJURY TO SUCH EMPLOYEE; OR

S 2. This act shall take effect on the first of November next succeeding 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.

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