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

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 120.10 of the penal law is amended by adding a new subdivision 5 to read as follows:

5. WITH INTENT TO CAUSE SERIOUS PHYSICAL INJURY, HE OR SHE INTENTIONALLY SELECTS A RETIRED POLICE OFFICER, AS POLICE OFFICER IS DEFINED PURSUANT TO SUBDIVISION THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, AGAINST WHOM THE OFFENSE IS COMMITTED OR INTENDED TO BE COMMITTED IN WHOLE OR IN SUBSTANTIAL PART BECAUSE OF A BELIEF OR PERCEPTION REGARDING SUCH RETIRED POLICE OFFICER'S INVOLVEMENT IN A PREVIOUS ARREST OF SUCH PERSON WHILE ON ACTIVE DUTY.

S 2. This act shall take effect on the ninetieth day after 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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