

5747

2011-2012 Regular Sessions

I N   A S S E M B L Y

February 28, 2011

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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.

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