

3809

2011-2012 Regular Sessions

I N   S E N A T E

March 4, 2011

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Introduced by Sen. GOLDEN -- 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 assaulting a New York city  
sanitation worker

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

1     Section 1. Subdivisions 3 and 11 of section 120.05 of the penal law,  
2     as separately amended by chapters 318 and 345 of the laws of 2010, are  
3     amended to read as follows:  
4     3. With intent to prevent a peace officer, a police officer, regis-  
5     tered nurse, licensed practical nurse, sanitation enforcement agent, NEW  
6     YORK CITY SANITATION WORKER, a firefighter, including a firefighter  
7     acting as a paramedic or emergency medical technician administering  
8     first aid in the course of performance of duty as such firefighter, an  
9     emergency medical service paramedic or emergency medical service techni-  
10    cian, or medical or related personnel in a hospital emergency depart-  
11    ment, a city marshal, a traffic enforcement officer or traffic enforce-  
12    ment agent, from performing a lawful duty, by means including releasing  
13    or failing to control an animal under circumstances evincing the actor's  
14    intent that the animal obstruct the lawful activity of such peace offi-  
15    cer, police officer, registered nurse, licensed practical nurse, sanita-  
16    tion enforcement agent, NEW YORK CITY SANITATION WORKER, firefighter,  
17    paramedic, technician, city marshal, traffic enforcement officer or  
18    traffic enforcement agent, he or she causes physical injury to such  
19    peace officer, police officer, registered nurse, licensed practical  
20    nurse, sanitation enforcement agent, NEW YORK CITY SANITATION WORKER,  
21    firefighter, paramedic, technician or medical or related personnel in a  
22    hospital emergency department, city marshal, traffic enforcement officer  
23    or traffic enforcement agent; or  
24    11. With intent to cause physical injury to a train operator, ticket  
25    inspector, conductor, signalperson, bus operator or station agent

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

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1 employed by any transit agency, authority or company, public or private,  
2 whose operation is authorized by New York state or any of its political  
3 subdivisions, a city marshal, a traffic enforcement officer, traffic  
4 enforcement agent or sanitation enforcement agent, NEW YORK CITY SANITA-  
5 TION WORKER, registered nurse or licensed practical nurse he or she  
6 causes physical injury to such train operator, ticket inspector, conduc-  
7 tor, signalperson, bus operator or station agent, city marshal, traffic  
8 enforcement officer, traffic enforcement agent, registered nurse or  
9 licensed practical nurse or sanitation enforcement agent, NEW YORK CITY  
10 SANITATION WORKER, while such employee is performing an assigned duty  
11 on, or directly related to, the operation of a train or bus, or such  
12 city marshal, traffic enforcement officer, traffic enforcement agent,  
13 registered nurse or licensed practical nurse or sanitation enforcement  
14 agent NEW YORK CITY SANITATION WORKER, is performing an assigned duty.  
15 S 2. This act shall take effect on the thirtieth day after it shall  
16 have become a law.