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

3091

2013-2014 Regular Sessions

I N A S S E M B L Y

January 23, 2013

Introduced by M. of A. LAVINE, McDONOUGH -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to assault upon a process server

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 a new subdivision 13 to read as follows:

13. WITH THE INTENT TO CAUSE PHYSICAL INJURY TO A PERSON AUTHORIZED TO SERVE PROCESS PURSUANT TO RULE TWENTY-ONE HUNDRED THREE OF THE CIVIL PRACTICE LAW AND RULES, OR A SPECIAL PROCESS SERVER APPOINTED BY A COURT IN THE STATE OF NEW YORK, HE OR SHE CAUSES SUCH INJURY TO SUCH PERSON WHILE THAT INDIVIDUAL IS IN THE PERFORMANCE OF HIS OR HER DUTIES AS A PROCESS SERVER.

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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