

3997

2013-2014 Regular Sessions

I N   S E N A T E

March 4, 2013

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Introduced by Sen. LAVALLE -- 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 assaults on department of sanitation workers and nursing professionals

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

1     Section 1. Subdivisions 3 and 11 of section 120.05 of the penal law,  
2 as amended by chapter 377 of the laws of 2012, are amended to read as  
3 follows:  
4     3. With intent to prevent a peace officer, a police officer, [regis-  
5 tered] A NURSING PROFESSIONAL INCLUDING NURSE PRACTITIONER, CERTIFIED OR  
6 LICENSED nurse PRACTITIONERS, CERTIFIED NURSING ASSISTANTS AND, licensed  
7 practical [nurse] NURSES, sanitation enforcement agent, [New York city]  
8 sanitation worker, a firefighter, including a firefighter acting as a  
9 paramedic or emergency medical technician administering first aid in the  
10 course of performance of duty as such firefighter, an emergency medical  
11 service paramedic or emergency medical service technician, or medical or  
12 related personnel in a hospital emergency department, a city marshal, a  
13 traffic enforcement officer or traffic enforcement agent, from perform-  
14 ing a lawful duty, by means including releasing or failing to control an  
15 animal under circumstances evincing the actor's intent that the animal  
16 obstruct the lawful activity of such peace officer, police officer,  
17 [registered nurse, licensed practical nurse] NURSING PROFESSIONAL, sani-  
18 tation enforcement agent, [New York city] sanitation worker, firefight-  
19 er, paramedic, technician, city marshal, traffic enforcement officer or  
20 traffic enforcement agent, he or she causes physical injury to such  
21 peace officer, police officer, [registered nurse, licensed practical  
22 nurse] NURSING PROFESSIONAL, sanitation enforcement agent, [New York  
23 city] sanitation worker, firefighter, paramedic, technician or medical  
24 or related personnel in a hospital emergency department, city marshal,  
25 traffic enforcement officer or traffic enforcement agent; or

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

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1 11. With intent to cause physical injury to a train operator, ticket  
2 inspector, conductor, signalperson, bus operator or station agent  
3 employed by any transit agency, authority or company, public or private,  
4 whose operation is authorized by New York state or any of its political  
5 subdivisions, a city marshal, a traffic enforcement officer, traffic  
6 enforcement agent, sanitation enforcement agent, [New York city] sanita-  
7 tion worker, [registered] A NURSING PROFESSIONAL INCLUDING nurse PRACTI-  
8 TIONERS, CERTIFIED or licensed practical [nurse] NURSES, he or she caus-  
9 es physical injury to such train operator, ticket inspector, conductor,  
10 signalperson, bus operator or station agent, city marshal, traffic  
11 enforcement officer, traffic enforcement agent, [registered nurse or  
12 licensed practical nurse] NURSING PROFESSIONAL, sanitation enforcement  
13 agent or [New York city] sanitation worker, while such employee is  
14 performing an assigned duty on, or directly related to, the operation of  
15 a train or bus, or such city marshal, traffic enforcement officer, traf-  
16 fic enforcement agent, [registered nurse or licensed practical nurse]  
17 NURSING PROFESSIONAL, sanitation enforcement agent or [New York city]  
18 sanitation worker, is performing an assigned duty.  
19 S 2. This act shall take effect on the ninetieth day after it shall  
20 have become a law.