

4447

2013-2014 Regular Sessions

I N S E N A T E

April 1, 2013

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 retired
police officer

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

1 Section 1. Subdivision 4 of section 120.10 of the penal law, as
2 amended by chapter 791 of the laws of 1967, is amended and a new subdi-
3 vision 5 is added to read as follows:
4 4. In the course of and in furtherance of the commission or attempted
5 commission of a felony or of immediate flight therefrom, he, or another
6 participant if there be any, causes serious physical injury to a person
7 other than one of the participants[.] ; OR
8 5. WITH INTENT TO CAUSE SERIOUS PHYSICAL INJURY TO A SPECIFIC RETIRED
9 POLICE OFFICER, AS POLICE OFFICER IS DEFINED PURSUANT TO SUBDIVISION
10 THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, DUE TO A
11 BELIEF OR PERCEPTION REGARDING SUCH RETIRED POLICE OFFICER'S INVOLVEMENT
12 IN A PREVIOUS ARREST OF SUCH PERSON WHILE ON ACTIVE DUTY, HE OR SHE
13 CAUSES SUCH INJURY TO SUCH RETIRED POLICE OFFICER OR TO A THIRD PERSON.
14 S 2. This act shall take effect on the ninetieth day after it shall
15 have become a law.

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

LBD07416-02-3