

1394--A

2013-2014 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 9, 2013

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Introduced by M. of A. GUNTHER, CROUCH, COLTON, ABBATE, RAIA, BOYLAND, ZEBROWSKI, SCARBOROUGH, GOODELL, STECK, HOOPER, SEPULVEDA, TENNEY, RYAN, DIPIETRO, STEC, BRINDISI -- Multi-Sponsored by -- M. of A. BARCLAY, CERETTO, HAWLEY, KEARNS, MAGEE, McKEVITT, RIVERA, RUSSELL -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to the aggravated harassment of an employee by an inmate

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

1     Section 1. The first undesignated paragraph of section 240.32 of the  
2     penal law, as amended by section 127-p of subpart B of part C of chapter  
3     62 of the laws of 2011, is amended to read as follows:  
4     An inmate or respondent is guilty of aggravated harassment of an  
5     employee by an inmate when, with intent to harass, annoy, threaten or  
6     alarm a person in a facility whom he or she knows or reasonably should  
7     know to be an employee of such facility or the board of parole or the  
8     office of mental health, or a probation department, bureau or unit or a  
9     police officer, he or she causes or attempts to cause such employee to  
10    come into contact with blood, seminal fluid, urine [or], feces, OR THE  
11    CONTENTS OF A TOILET BOWL, by throwing, tossing or expelling such fluid  
12    or material.  
13    S 2. This act shall take effect on the first of November next succeed-  
14    ing 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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