

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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 120.05 of the penal law is amended by adding a new
2 subdivision 13 to read as follows:
3 13. WITH THE INTENT TO CAUSE PHYSICAL INJURY TO A PERSON AUTHORIZED TO
4 SERVE PROCESS PURSUANT TO RULE TWENTY-ONE HUNDRED THREE OF THE CIVIL
5 PRACTICE LAW AND RULES, OR A SPECIAL PROCESS SERVER APPOINTED BY A COURT
6 IN THE STATE OF NEW YORK, HE OR SHE CAUSES SUCH INJURY TO SUCH PERSON
7 WHILE THAT INDIVIDUAL IS IN THE PERFORMANCE OF HIS OR HER DUTIES AS A
8 PROCESS SERVER.
9 S 2. This act shall take effect on the first of November next succeed-
10 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.

LBD06438-01-3