

5210

2013-2014 Regular Sessions

I N A S S E M B L Y

February 21, 2013

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

AN ACT to amend the penal law, in relation to assault on district attor-
neys and assistant district attorneys

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

1 Section 1. Subdivision 3 of section 120.05 of the penal law, as
2 amended by chapter 377 of the laws of 2012, is amended to read as
3 follows:
4 3. With intent to prevent a peace officer, a police officer, DISTRICT
5 ATTORNEY, ASSISTANT DISTRICT ATTORNEY, ASSISTANT ATTORNEY GENERAL,
6 registered nurse, licensed practical nurse, sanitation enforcement
7 agent, New York city sanitation worker, a firefighter, including a fire-
8 fighter acting as a paramedic or emergency medical technician adminis-
9 tering first aid in the course of performance of duty as such firefight-
10 er, an emergency medical service paramedic or emergency medical service
11 technician, or medical or related personnel in a hospital emergency
12 department, a city marshal, a traffic enforcement officer or traffic
13 enforcement agent, from performing a lawful duty, by means including
14 releasing or failing to control an animal under circumstances evincing
15 the actor's intent that the animal obstruct the lawful activity of such
16 peace officer, police officer, DISTRICT ATTORNEY, ASSISTANT DISTRICT
17 ATTORNEY, ASSISTANT ATTORNEY GENERAL, registered nurse, licensed practi-
18 cal nurse, sanitation enforcement agent, New York city sanitation work-
19 er, firefighter, paramedic, technician, city marshal, traffic enforce-
20 ment officer or traffic enforcement agent, he or she causes physical
21 injury to such peace officer, police officer, DISTRICT ATTORNEY, ASSIST-
22 ANT DISTRICT ATTORNEY, ASSISTANT ATTORNEY GENERAL, registered nurse,
23 licensed practical nurse, sanitation enforcement agent, New York city
24 sanitation worker, firefighter, paramedic, technician or medical or

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

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1 related personnel in a hospital emergency department, city marshal,
2 traffic enforcement officer or traffic enforcement agent; or

3 S 2. Subdivision 11 of section 120.05 of the penal law, as amended by
4 chapter 377 of the laws of 2012, is amended to read as follows:

5 11. With intent to cause physical injury to a train operator, ticket
6 inspector, conductor, signalperson, bus operator or station agent
7 employed by any transit agency, authority or company, public or private,
8 whose operation is authorized by New York state or any of its political
9 subdivisions, a city marshal, a traffic enforcement officer, traffic
10 enforcement agent, DISTRICT ATTORNEY, ASSISTANT DISTRICT ATTORNEY,
11 ASSISTANT ATTORNEY GENERAL, sanitation enforcement agent, New York city
12 sanitation worker, registered nurse or licensed practical nurse he or
13 she causes physical injury to such train operator, ticket inspector,
14 conductor, signalperson, bus operator or station agent, city marshal,
15 traffic enforcement officer, traffic enforcement agent, DISTRICT ATTOR-
16 NEY, ASSISTANT DISTRICT ATTORNEY, ASSISTANT ATTORNEY GENERAL, registered
17 nurse [or], licensed practical nurse, sanitation enforcement agent or
18 New York city sanitation worker, while such employee is performing an
19 assigned duty on, or directly related to, the operation of a train or
20 bus, or such city marshal, traffic enforcement officer, traffic enforce-
21 ment agent, DISTRICT ATTORNEY, ASSISTANT DISTRICT ATTORNEY, ASSISTANT
22 ATTORNEY GENERAL, registered nurse [or], licensed practical nurse, sani-
23 tation enforcement agent or New York city sanitation worker, is perform-
24 ing an assigned duty.

25 S 3. This act shall take effect on the one hundred eightieth day after
26 it shall have become a law.