

9658

I N   A S S E M B L Y

May 14, 2014

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

AN ACT to amend the penal law, in relation to protecting public health  
and sanitarian enforcement workers from assault

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 259 of the laws of 2013, are amended to read as  
3     follows:  
4     3. With intent to prevent a peace officer, a police officer, prosecu-  
5     tor as defined in subdivision thirty-one of section 1.20 of the criminal  
6     procedure law, registered nurse, licensed practical nurse, PUBLIC HEALTH  
7     SANITARIAN, NEW YORK CITY PUBLIC HEALTH SANITARIAN, sanitation enforce-  
8     ment agent, New York city sanitation worker, a firefighter, including a  
9     firefighter acting as a paramedic or emergency medical technician admin-  
10    istering first aid in the course of performance of duty as such fire-  
11    fighter, an emergency medical service paramedic or emergency medical  
12    service technician, or medical or related personnel in a hospital emer-  
13    gency department, a city marshal, a traffic enforcement officer or traf-  
14    fic enforcement agent, from performing a lawful duty, by means including  
15    releasing or failing to control an animal under circumstances evincing  
16    the actor's intent that the animal obstruct the lawful activity of such  
17    peace officer, police officer, prosecutor as defined in subdivision  
18    thirty-one of section 1.20 of the criminal procedure law, registered  
19    nurse, licensed practical nurse, PUBLIC HEALTH SANITARIAN, NEW YORK CITY  
20    PUBLIC HEALTH SANITARIAN, sanitation enforcement agent, New York city  
21    sanitation worker, firefighter, paramedic, technician, city marshal,  
22    traffic enforcement officer or traffic enforcement agent, he or she  
23    causes physical injury to such peace officer, police officer, prosecutor  
24    as defined in subdivision thirty-one of section 1.20 of the criminal  
25    procedure law, registered nurse, licensed practical nurse, PUBLIC HEALTH  
26    SANITARIAN, NEW YORK CITY PUBLIC HEALTH SANITARIAN, sanitation enforce-  
27    ment agent, New York city sanitation worker, firefighter, paramedic,  
28    technician or medical or related personnel in a hospital emergency

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

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1 department, city marshal, traffic enforcement officer or traffic  
2 enforcement agent; or

3 11. With intent to cause physical injury to a train operator, ticket  
4 inspector, conductor, signalperson, bus operator or station agent  
5 employed by any transit agency, authority or company, public or private,  
6 whose operation is authorized by New York state or any of its political  
7 subdivisions, a city marshal, a traffic enforcement officer, traffic  
8 enforcement agent, prosecutor as defined in subdivision thirty-one of  
9 section 1.20 of the criminal procedure law, sanitation enforcement  
10 agent, New York city sanitation worker, PUBLIC HEALTH SANITARIAN, NEW  
11 YORK CITY PUBLIC HEALTH SANITARIAN, registered nurse or licensed practi-  
12 cal nurse he or she causes physical injury to such train operator, tick-  
13 et inspector, conductor, signalperson, bus operator or station agent,  
14 city marshal, traffic enforcement officer, traffic enforcement agent,  
15 prosecutor as defined in subdivision thirty-one of section 1.20 of the  
16 criminal procedure law, registered nurse, licensed practical nurse,  
17 PUBLIC HEALTH SANITARIAN, NEW YORK CITY PUBLIC HEALTH SANITARIAN, sani-  
18 tation enforcement agent or New York city sanitation worker, while such  
19 employee is performing an assigned duty on, or directly related to, the  
20 operation of a train or bus, or such city marshal, traffic enforcement  
21 officer, traffic enforcement agent, prosecutor as defined in subdivision  
22 thirty-one of section 1.20 of the criminal procedure law, registered  
23 nurse, licensed practical nurse, PUBLIC HEALTH SANITARIAN, NEW YORK CITY  
24 PUBLIC HEALTH SANITARIAN, sanitation enforcement agent or New York city  
25 sanitation worker, is performing an assigned duty.

26 S 2. This act shall take effect on the first of November next succeed-  
27 ing the date on which it shall have become a law.