

2811

2013-2014 Regular Sessions

I N   S E N A T E

January 24, 2013

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Introduced by Sen. ADAMS -- 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 peace officer or a retired police officer

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, 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 INTENT TO CAUSE PHYSICAL INJURY, HE OR SHE INTENTIONALLY  
4     SELECTS A RETIRED PEACE OFFICER OR RETIRED POLICE OFFICER, AS PEACE  
5     OFFICER IS DEFINED PURSUANT TO SECTION 2.10 OF THE CRIMINAL PROCEDURE  
6     LAW AND AS POLICE OFFICER IS DEFINED PURSUANT TO SUBDIVISION THIRTY-FOUR  
7     OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, AGAINST WHOM THE OFFENSE  
8     IS COMMITTED OR INTENDED TO BE COMMITTED IN WHOLE OR IN SUBSTANTIAL  
9     PART BECAUSE OF A BELIEF OR PERCEPTION REGARDING SUCH RETIRED PEACE  
10    OFFICER'S OR RETIRED POLICE OFFICER'S PREVIOUS LAW ENFORCEMENT ROLE  
11    WITH SUCH PERSON WHILE ON ACTIVE DUTY.  
12    S 2. Section 120.10 of the penal law is amended by adding a new subdi-  
13    vision 5 to read as follows:  
14    5. WITH INTENT TO CAUSE SERIOUS PHYSICAL INJURY, HE OR SHE INTEN-  
15    TIONALLY SELECTS A RETIRED PEACE OFFICER OR RETIRED POLICE OFFICER, AS  
16    PEACE OFFICER IS DEFINED PURSUANT TO SECTION 2.10 OF THE CRIMINAL  
17    PROCEDURE LAW AND AS POLICE OFFICER IS DEFINED PURSUANT TO SUBDIVISION  
18    THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, AGAINST WHOM  
19    THE OFFENSE IS COMMITTED OR INTENDED TO BE COMMITTED IN WHOLE OR IN  
20    SUBSTANTIAL PART BECAUSE OF A BELIEF OR PERCEPTION REGARDING SUCH  
21    RETIRED PEACE OFFICER'S OR RETIRED POLICE OFFICER'S PREVIOUS LAW  
22    ENFORCEMENT ROLE WITH SUCH PERSON WHILE ON ACTIVE DUTY.  
23    S 3. This act shall take effect on the ninetieth day after it shall  
24    have become a law.

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

LBD06031-01-3