S T A T E O F N E W Y O R K

4447

2013-2014 Regular Sessions

I N S E N A T E

April 1, 2013

Introduced by Sen. GOLDEN -- 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 police officer

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

Section 1. Subdivision 4 of section 120.10 of the penal law, as amended by chapter 791 of the laws of 1967, is amended and a new subdivision 5 is added to read as follows:

4. In the course of and in furtherance of the commission or attempted commission of a felony or of immediate flight therefrom, he, or another participant if there be any, causes serious physical injury to a person other than one of the participants[.] ; OR

5. WITH INTENT TO CAUSE SERIOUS PHYSICAL INJURY TO A SPECIFIC RETIRED POLICE OFFICER, AS POLICE OFFICER IS DEFINED PURSUANT TO SUBDIVISION THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, DUE TO A BELIEF OR PERCEPTION REGARDING SUCH RETIRED POLICE OFFICER'S INVOLVEMENT IN A PREVIOUS ARREST OF SUCH PERSON WHILE ON ACTIVE DUTY, HE OR SHE CAUSES SUCH INJURY TO SUCH RETIRED POLICE OFFICER OR TO A THIRD PERSON.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

LBD07416-02-3