

4926

2015-2016 Regular Sessions

I N A S S E M B L Y

February 9, 2015

Introduced by M. of A. COOK, CLARK, DenDEKKER, CRESPO, TITUS, HOOPER --
Multi-Sponsored by -- M. of A. ABBATE -- read once and referred to the
Committee on Codes

AN ACT to amend the penal law, in relation to deeming assault on a
station customer assistant, maintainer, cleaner or janitor while in
performance of their assigned duties to be assault in the second
degree

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

1 Section 1. Subdivision 11 of section 120.05 of the penal law, as
2 amended by chapter 196 of the laws of 2014, is amended to read as
3 follows:
4 11. With intent to cause physical injury to a train operator, ticket
5 inspector, conductor, signalperson, bus operator [or], station agent,
6 STATION CUSTOMER ASSISTANT, ANY PERSON WHOSE OFFICIAL DUTIES INCLUDE THE
7 SALE OF TICKETS, PASSES, VOUCHERS OR OTHER PAYMENT OF FARE TO USE A
8 TRAIN OR BUS, ANY PERSON WHOSE OFFICIAL DUTIES INCLUDE THE MAINTENANCE
9 OR OPERATION OF A TRAIN OR BUS STATION OR TERMINAL employed by any tran-
10 sit agency, authority or company, public or private, whose operation is
11 authorized by New York state or any of its political subdivisions, a
12 city marshal, a school crossing guard appointed pursuant to section two
13 hundred eight-a of the general municipal law, a traffic enforcement
14 officer, traffic enforcement agent, prosecutor as defined in subdivision
15 thirty-one of section 1.20 of the criminal procedure law, sanitation
16 enforcement agent, New York city sanitation worker, registered nurse or
17 licensed practical nurse he or she causes physical injury to such train
18 operator, ticket inspector, conductor, signalperson, bus operator [or],
19 station agent, STATION CUSTOMER ASSISTANT, ANY PERSON WHOSE OFFICIAL
20 DUTIES INCLUDE THE SALE OF TICKETS, PASSES, VOUCHERS OR OTHER PAYMENT OF
21 FARE TO USE A TRAIN OR BUS, ANY PERSON WHOSE OFFICIAL DUTIES INCLUDE THE
22 MAINTENANCE OR OPERATION OF A TRAIN OR BUS STATION OR TERMINAL city

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

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1 marshal, school crossing guard appointed pursuant to section two hundred
2 eight-a of the general municipal law, traffic enforcement officer, traf-
3 fic enforcement agent, prosecutor as defined in subdivision thirty-one
4 of section 1.20 of the criminal procedure law, registered nurse,
5 licensed practical nurse, sanitation enforcement agent or New York city
6 sanitation worker, while such employee is performing an assigned duty
7 on, or directly related to, the operation of a train or bus, INCLUDING
8 THE MAINTENANCE OF A TRAIN OR BUS STATION OR TERMINAL or such city
9 marshal, school crossing guard, traffic enforcement officer, traffic
10 enforcement agent, prosecutor as defined in subdivision thirty-one of
11 section 1.20 of the criminal procedure law, registered nurse, licensed
12 practical nurse, sanitation enforcement agent or New York city sanita-
13 tion worker, is performing an assigned duty.
14 S 2. This act shall take effect on the one hundred eightieth day after
15 it shall have become a law.