

7542

2015-2016 Regular Sessions

I N A S S E M B L Y

May 18, 2015

Introduced by M. of A. COOK, ARROYO, CLARK, SKOUFIS -- Multi-Sponsored
by -- M. of A. RIVERA, THIELE -- 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 196 of the laws of 2014, are amended to read as
3 follows:
4 3. With intent to prevent a peace officer, a police officer, prosecutor
5 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 enforcement
8 agent, New York city sanitation worker, a firefighter, including a
9 firefighter acting as a paramedic or emergency medical technician administering
10 first aid in the course of performance of duty as such firefighter, an
11 emergency medical service paramedic or emergency medical service technician,
12 or medical or related personnel in a hospital emergency department, a city
13 marshal, a school crossing guard appointed pursuant to section two hundred
14 eight-a of the general municipal law, a traffic enforcement officer or traffic
15 enforcement agent, from performing a lawful duty, by means including releasing
16 or failing to control an animal under circumstances evincing the actor's intent
17 that the animal obstruct the lawful activity of such peace officer, police
18 officer, prosecutor as defined in subdivision thirty-one of section 1.20 of
19 the criminal procedure law, registered nurse, licensed practical nurse,
20 PUBLIC HEALTH SANITARIAN, NEW YORK CITY PUBLIC HEALTH SANITARIAN, sanitation
21 enforcement agent, New York city sanitation worker, firefighter, paramedic,
22 technician, city marshal, school crossing guard appointed pursuant to section
23 two hundred eight-a of the general municipal law,
24 pursuant to section two hundred eight-a of the general municipal law,

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

LBD02364-01-5

1 traffic enforcement officer or traffic enforcement agent, he or she
2 causes physical injury to such peace officer, police officer, prosecutor
3 as defined in subdivision thirty-one of section 1.20 of the criminal
4 procedure law, registered nurse, licensed practical nurse, PUBLIC HEALTH
5 SANITARIAN, NEW YORK CITY PUBLIC HEALTH SANITARIAN, sanitation enforce-
6 ment agent, New York city sanitation worker, firefighter, paramedic,
7 technician or medical or related personnel in a hospital emergency
8 department, city marshal, school crossing guard, traffic enforcement
9 officer or traffic enforcement agent; or
10 11. With intent to cause physical injury to a train operator, ticket
11 inspector, conductor, signalperson, bus operator or station agent
12 employed by any transit agency, authority or company, public or private,
13 whose operation is authorized by New York state or any of its political
14 subdivisions, a city marshal, a school crossing guard appointed pursuant
15 to section two hundred eight-a of the general municipal law, a traffic
16 enforcement officer, traffic enforcement agent, prosecutor as defined in
17 subdivision thirty-one of section 1.20 of the criminal procedure law,
18 sanitation enforcement agent, New York city sanitation worker, PUBLIC
19 HEALTH SANITARIAN, NEW YORK CITY PUBLIC HEALTH SANITARIAN, registered
20 nurse or licensed practical nurse he or she causes physical injury to
21 such train operator, ticket inspector, conductor, signalperson, bus
22 operator or station agent, city marshal, school crossing guard appointed
23 pursuant to section two hundred eight-a of the general municipal law,
24 traffic enforcement officer, traffic enforcement agent, prosecutor as
25 defined in subdivision thirty-one of section 1.20 of the criminal proce-
26 dure law, registered nurse, licensed practical nurse, PUBLIC HEALTH
27 SANITARIAN, NEW YORK CITY PUBLIC HEALTH SANITARIAN, sanitation enforce-
28 ment agent or New York city sanitation worker, while such employee is
29 performing an assigned duty on, or directly related to, the operation of
30 a train or bus, or such city marshal, school crossing guard, traffic
31 enforcement officer, traffic enforcement agent, prosecutor as defined in
32 subdivision thirty-one of section 1.20 of the criminal procedure law,
33 registered nurse, licensed practical nurse, PUBLIC HEALTH SANITARIAN,
34 NEW YORK CITY PUBLIC HEALTH SANITARIAN, sanitation enforcement agent or
35 New York city sanitation worker, is performing an assigned duty.
36 S 2. This act shall take effect on the first of November next succeed-
37 ing the date on which it shall have become a law.