

4133

2015-2016 Regular Sessions

I N S E N A T E

March 2, 2015

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 aggravated assault upon a police officer

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

1 Section 1. Section 120.11 of the penal law, as amended by section 283
2 of the laws of 1993, is amended to read as follows:
3 S 120.11 Aggravated assault upon a police officer or a peace officer.
4 A person is guilty of aggravated assault upon a police officer or a
5 peace officer when[, with]:
6 (A) WITH intent to cause serious physical injury to a person whom he
7 OR SHE knows or reasonably should know to be a police officer or a peace
8 officer engaged in the course of performing his OR HER official duties,
9 he OR SHE causes such injury by means of a deadly weapon or dangerous
10 instrument; OR
11 (B) WITH INTENT TO CAUSE PHYSICAL INJURY TO A PERSON WHOM HE OR SHE
12 KNOWS OR REASONABLY SHOULD KNOW TO BE A POLICE OFFICER OR A PEACE OFFI-
13 CER ENGAGED IN THE COURSE OF PERFORMING HIS OR HER OFFICIAL DUTIES AND
14 WHEN AIDED BY TWO OR MORE OTHER PERSONS ACTUALLY PRESENT AT AN ASSEMBLY
15 IN A PUBLIC PLACE, AS SUCH TERM IS DEFINED IN SUBDIVISION ONE OF SECTION
16 240.00 OF THIS CHAPTER, HE OR SHE CAUSES PHYSICAL INJURY TO SUCH POLICE
17 OFFICER OR PEACE OFFICER.
18 Aggravated assault upon a police officer or a peace officer is a class
19 B felony.
20 S 2. This act shall take effect on the sixtieth day after it shall
21 have become a law.

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

LBD09398-01-5