

6457

I N S E N A T E

January 13, 2016

Introduced by Sen. BOYLE -- 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 protecting registered security guards in a hospital or health care facility 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 subdivision 3 as amended by chapter 472 of the laws of 2015 and subdivi-
3 sion 11 as separately amended by chapters 472 and 487 of the laws of
4 2015, are amended to read as follows:
5 3. With intent to prevent a peace officer, a police officer, prosecu-
6 tor as defined in subdivision thirty-one of section 1.20 of the criminal
7 procedure law, registered nurse, licensed practical nurse, public health
8 sanitarian, New York city public health sanitarian, sanitation enforce-
9 ment agent, New York city sanitation worker, a firefighter, including a
10 firefighter acting as a paramedic or emergency medical technician admin-
11 istering first aid in the course of performance of duty as such fire-
12 fighter, an emergency medical service paramedic or emergency medical
13 service technician, or medical or related personnel in a hospital emer-
14 gency department, A REGISTERED SECURITY GUARD IN A HOSPITAL OR HEALTH
15 CARE FACILITY, a city marshal, a school crossing guard appointed pursu-
16 ant to section two hundred eight-a of the general municipal law, a traf-
17 fic enforcement officer or traffic enforcement agent, from performing a
18 lawful duty, by means including releasing or failing to control an
19 animal under circumstances evincing the actor's intent that the animal
20 obstruct the lawful activity of such peace officer, police officer,
21 prosecutor as defined in subdivision thirty-one of section 1.20 of the
22 criminal procedure law, registered nurse, licensed practical nurse,
23 public health sanitarian, New York city public health sanitarian, sani-
24 tation enforcement agent, New York city sanitation worker, firefighter,
25 paramedic, technician, city marshal, school crossing guard appointed
26 pursuant to section two hundred eight-a of the general municipal law,
27 traffic enforcement officer or traffic enforcement agent, he or she
28 causes physical injury to such peace officer, police officer, prosecutor

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

LBD13516-01-6

1 as defined in subdivision thirty-one of section 1.20 of the criminal
2 procedure law, registered nurse, licensed practical nurse, public health
3 sanitarian, New York city public health sanitarian, sanitation enforce-
4 ment agent, New York city sanitation worker, firefighter, paramedic,
5 technician or medical or related personnel in a hospital emergency
6 department, A REGISTERED SECURITY GUARD IN A HOSPITAL OR HEALTH CARE
7 FACILITY, city marshal, school crossing guard, traffic enforcement offi-
8 cer or traffic enforcement agent; or

9 11. With intent to cause physical injury to a train operator, ticket
10 inspector, conductor, signalperson, bus operator or station agent
11 employed by any transit agency, authority or company, public or private,
12 whose operation is authorized by New York state or any of its political
13 subdivisions, a city marshal, a school crossing guard appointed pursuant
14 to section two hundred eight-a of the general municipal law, a traffic
15 enforcement officer, traffic enforcement agent, prosecutor as defined in
16 subdivision thirty-one of section 1.20 of the criminal procedure law,
17 sanitation enforcement agent, New York city sanitation worker, public
18 health sanitarian, New York city public health sanitarian, registered
19 nurse, licensed practical nurse, emergency medical service paramedic,
20 [or] emergency medical service technician, OR A REGISTERED SECURITY
21 GUARD IN A HOSPITAL OR HEALTH CARE FACILITY, he or she causes physical
22 injury to such train operator, ticket inspector, conductor, signalper-
23 son, bus operator or station agent, city marshal, school crossing guard
24 appointed pursuant to section two hundred eight-a of the general municip-
25 al law, traffic enforcement officer, traffic enforcement agent, prose-
26 cutor as defined in subdivision thirty-one of section 1.20 of the crimi-
27 nal procedure law, registered nurse, licensed practical nurse, public
28 health sanitarian, New York city public health sanitarian, sanitation
29 enforcement agent, New York city sanitation worker, emergency medical
30 service paramedic, [or] emergency medical service technician, OR A
31 REGISTERED SECURITY GUARD IN A HOSPITAL OR HEALTH CARE FACILITY, while
32 such employee is performing an assigned duty on, or directly related to,
33 the operation of a train or bus, or such city marshal, school crossing
34 guard, traffic enforcement officer, traffic enforcement agent, prosecu-
35 tor as defined in subdivision thirty-one of section 1.20 of the criminal
36 procedure law, registered nurse, licensed practical nurse, public health
37 sanitarian, New York city public health sanitarian, sanitation enforce-
38 ment agent, New York city sanitation worker, emergency medical service
39 paramedic, [or] emergency medical service technician, OR A REGISTERED
40 SECURITY GUARD IN A HOSPITAL OR HEALTH CARE FACILITY is performing an
41 assigned duty.

42 S 2. This act shall take effect on the same date and in the same
43 manner as chapter 472 of the laws of 2015, takes effect.