

8104--A

I N   S E N A T E

June 13, 2016

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Introduced by Sens. PARKER, COMRIE, ESPAILLAT, GOLDEN, HAMILTON -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to assaults upon station cleaners and terminal cleaners

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

1     Section 1. Subdivision 11 of section 120.05 of the penal law, as  
2 amended by chapter 487 of the laws of 2015, 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 CLEANER OR TERMINAL CLEANER employed by any transit agency,  
7 authority or company, public or private, whose operation is authorized  
8 by New York state or any of its political subdivisions, a city marshal,  
9 a school crossing guard appointed pursuant to section two hundred  
10 eight-a of the general municipal law, a traffic enforcement officer,  
11 traffic enforcement agent, prosecutor as defined in subdivision thirty-  
12 one of section 1.20 of the criminal procedure law, sanitation enforce-  
13 ment agent, New York city sanitation worker, registered nurse, licensed  
14 practical nurse, emergency medical service paramedic, or emergency  
15 medical service technician, he or she causes physical injury to such  
16 train operator, ticket inspector, conductor, signalperson, bus operator  
17 [or], station agent, STATION CLEANER OR TERMINAL CLEANER, city marshal,  
18 school crossing guard appointed pursuant to section two hundred eight-a  
19 of the general municipal law, traffic enforcement officer, traffic  
20 enforcement agent, prosecutor as defined in subdivision thirty-one of  
21 section 1.20 of the criminal procedure law, registered nurse, licensed  
22 practical nurse, sanitation enforcement agent, New York city sanitation  
23 worker, emergency medical service paramedic, or emergency medical  
24 service technician, while such employee is performing an assigned duty  
25 on, or directly related to, the operation of a train or bus, INCLUDING  
26 THE CLEANING OF A TRAIN OR BUS STATION OR TERMINAL, or such 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, traffic enforcement officer, traffic  
2 enforcement agent, prosecutor as defined in subdivision thirty-one of  
3 section 1.20 of the criminal procedure law, registered nurse, licensed  
4 practical nurse, sanitation enforcement agent, New York city sanitation  
5 worker, emergency medical service paramedic, or emergency medical  
6 service technician is performing an assigned duty.

7 S 2. Subdivision 11 of section 120.05 of the penal law, as separately  
8 amended by chapters 472 and 487 of the laws of 2015, is amended to read  
9 as follows:

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

42 S 3. This act shall take effect on the first of November next succeed-  
43 ing the date upon which it shall have become a law; provided, however,  
44 if chapter 472 of the laws of 2015 shall not have taken effect on or  
45 before such date then section two of this act shall take effect on the  
46 same date and in the same manner as such chapter of the laws of 2015,  
47 takes effect.