

10048--B

I N A S S E M B L Y

May 6, 2016

Introduced by M. of A. RICHARDSON, PICHARDO, WALKER, ORTIZ, BLAKE, JEAN-PIERRE, HYNDMAN, CYMBROWITZ, CRESPO, MOSLEY, PERRY, BARRON, QUART, JOYNER, COLTON, WEPRIN, TITUS, PRETLOW, ROZIC, HARRIS, DAVILA, TITONE, GJONAJ, WILLIAMS, SOLAGES, SKOUFIS, SALADINO, LINARES, PALUMBO, SEPULVEDA, RAIA, LUPINACCI, MURRAY, GARBARINO, FITZPATRICK, GOLD-FEDER, PALMESANO, RA, BRINDISI, FAHY, MOYA, LAVINE, MAYER, SEAWRIGHT, RODRIGUEZ, COOK, ABBATE, ZEBROWSKI, DenDEKKER -- Multi-Sponsored by -- M. of A. BRENNAN, DINOWITZ, FARRELL, HUNTER -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, 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

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

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1 of the general municipal law, 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, while such employee is performing an assigned duty
7 on, or directly related to, the operation of a train or bus, INCLUDING
8 THE CLEANING 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, New York city sanitation
13 worker, emergency medical service paramedic, or emergency medical
14 service technician is performing an assigned duty.

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

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

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