S T A T E O F N E W Y O R K

4421

2015-2016 Regular Sessions

I N A S S E M B L Y

January 30, 2015

Introduced by M. of A. McKEVITT, GRAF -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to assault on code enforcement personnel

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

Section 1. Subdivisions 3 and 11 of section 120.05 of the penal law, as amended by chapter 196 of the laws of 2014, are amended to read as follows:

3. With intent to prevent a peace officer, a police officer, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, sanitation enforcement agent, New York city sanitation worker, a firefighter, including a firefighter acting as a paramedic or emergency medical technician administering first aid in the course of performance of duty as such firefighter, an emergency medical service paramedic or emergency medical service technician, or medical or related personnel in a hospital emergency department, a city marshal, a school crossing guard appointed pursuant to section two hundred eight-a of the general municipal law, a traffic enforcement officer [or], traffic enforcement agent, OR ANY CODE ENFORCEMENT PERSONNEL AS SUCH TERM IS DEFINED PURSUANT TO RULES AND REGULATIONS PROMULGATED BY THE SECRETARY OF STATE PURSUANT TO SUBDIVISION ONE OF SECTION THREE HUNDRED EIGHTY-ONE OF THE EXECUTIVE LAW, from performing a lawful duty, by means including releasing or failing to control an animal under circumstances evincing the actor's intent that the animal obstruct the lawful activity of such peace officer, police officer, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, sanitation enforcement agent, New York city sanitation worker, firefighter, paramedic, technician, city marshal, school crossing guard appointed pursuant to section two hundred eight-a of the

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

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general municipal law, traffic enforcement officer [or], traffic enforcement agent OR ANY CODE ENFORCEMENT PERSONNEL, he or she causes physical injury to such peace officer, police officer, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, sanitation enforcement agent, New York city sanitation worker, firefighter, paramedic, technician or medical or related personnel in a hospital emergency department, city marshal, school crossing guard, traffic enforcement officer or traffic enforcement agent; or

11. With intent to cause physical injury to a train operator, ticket inspector, conductor, signalperson, bus operator or station agent employed by any transit agency, authority or company, public or private, whose operation is authorized by New York state or any of its political subdivisions, a city marshal, a school crossing guard appointed pursuant to section two hundred eight-a of the general municipal law, a traffic enforcement officer, traffic enforcement agent, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, sanitation enforcement agent, New York city sanitation worker, registered nurse or licensed practical nurse he or she causes physical injury to such train operator, ticket inspector, conductor, signalperson, bus operator or station agent, city marshal, school crossing guard appointed pursuant to section two hundred eight-a of the general municipal law, traffic enforcement officer, traffic enforcement agent, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, sanitation enforcement agent [or], New York city sanitation worker OR ANY CODE ENFORCEMENT PERSONNEL AS SUCH TERM IS DEFINED PURSUANT TO RULES AND REGULATIONS PROMULGATED BY THE SECRETARY OF STATE PURSUANT TO SUBDIVISION ONE OF SECTION THREE HUNDRED EIGHTY-ONE OF THE EXECUTIVE LAW, while such employee is performing an assigned duty on, or directly related to, the operation of a train or bus, or such city marshal, school crossing guard, traffic enforcement officer, traffic enforcement agent, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, sanitation enforcement agent or New York city sanitation worker OR CODE ENFORCEMENT PERSONNEL, is performing an assigned duty.

S 2. This act shall take effect on the first of November next succeeding the date upon which it shall have become a law.