

4926

2015-2016 Regular Sessions

I N   A S S E M B L Y

February 9, 2015

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Introduced by M. of A. COOK, CLARK, DenDEKKER, CRESPO, TITUS, HOOPER --  
Multi-Sponsored by -- M. of A. ABBATE -- read once and referred to the  
Committee on Codes

AN ACT to amend the penal law, in relation to deeming assault on a  
station customer assistant, maintainer, cleaner or janitor while in  
performance of their assigned duties to be assault in the second  
degree

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

1     Section 1. Subdivision 11 of section 120.05 of the penal law, as  
2     amended by chapter 196 of the laws of 2014, 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 CUSTOMER ASSISTANT, ANY PERSON WHOSE OFFICIAL DUTIES INCLUDE THE  
7     SALE OF TICKETS, PASSES, VOUCHERS OR OTHER PAYMENT OF FARE TO USE A  
8     TRAIN OR BUS, ANY PERSON WHOSE OFFICIAL DUTIES INCLUDE THE MAINTENANCE  
9     OR OPERATION OF A TRAIN OR BUS STATION OR TERMINAL employed by any tran-  
10    sit agency, authority or company, public or private, whose operation is  
11    authorized by New York state or any of its political subdivisions, a  
12    city marshal, a school crossing guard appointed pursuant to section two  
13    hundred eight-a of the general municipal law, a traffic enforcement  
14    officer, traffic enforcement agent, prosecutor as defined in subdivision  
15    thirty-one of section 1.20 of the criminal procedure law, sanitation  
16    enforcement agent, New York city sanitation worker, registered nurse or  
17    licensed practical nurse he or she causes physical injury to such train  
18    operator, ticket inspector, conductor, signalperson, bus operator [or],  
19    station agent, STATION CUSTOMER ASSISTANT, ANY PERSON WHOSE OFFICIAL  
20    DUTIES INCLUDE THE SALE OF TICKETS, PASSES, VOUCHERS OR OTHER PAYMENT OF  
21    FARE TO USE A TRAIN OR BUS, ANY PERSON WHOSE OFFICIAL DUTIES INCLUDE THE  
22    MAINTENANCE OR OPERATION OF A TRAIN OR BUS STATION OR TERMINAL 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 appointed pursuant to section two hundred  
2 eight-a of the general municipal law, traffic enforcement officer, traf-  
3 fic enforcement agent, prosecutor as defined in subdivision thirty-one  
4 of section 1.20 of the criminal procedure law, registered nurse,  
5 licensed practical nurse, sanitation enforcement agent or New York city  
6 sanitation worker, while such employee is performing an assigned duty  
7 on, or directly related to, the operation of a train or bus, INCLUDING  
8 THE MAINTENANCE 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 or New York city sanita-  
13 tion worker, is performing an assigned duty.  
14 S 2. This act shall take effect on the one hundred eightieth day after  
15 it shall have become a law.