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

6808

2015-2016 Regular Sessions

I N A S S E M B L Y

April 2, 2015

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

AN ACT to amend the penal law, in relation to assault on a member of the military or reserves

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

Section 1. Section 10.00 of the penal law is amended by adding a new subdivision 22 to read as follows:

22. "MEMBER OF THE MILITARY OR RESERVES" MEANS (A) A MEMBER OF THE UNITED STATES ARMY, NAVY, AIR FORCE, MARINES, COAST GUARD, ARMY NATIONAL GUARD, AIR NATIONAL GUARD AND/OR RESERVES THEREOF OR (B) A MEMBER OF THE NEW YORK GUARD OR THE NEW YORK NAVAL MILITIA.

S 2. Section 120.08 of the penal law, as added by chapter 632 of the laws of 1996, is amended to read as follows:

S 120.08 Assault on a peace officer, police officer, fireman, [or] emergency medical services professional OR A MEMBER OF THE MILITARY OR RESERVES.

A person is guilty of assault on a peace officer, police officer, fireman, [or] emergency medical services professional OR A MEMBER OF THE MILITARY OR RESERVES when, with intent to prevent a peace officer, police officer, a fireman, including a fireman acting as a paramedic or emergency medical technician administering first aid in the course of performance of duty as such fireman, [or] an emergency medical service paramedic or emergency medical service technician, OR A MEMBER OF THE MILITARY OR RESERVES, from performing a lawful duty, he causes serious physical injury to such peace officer, police officer, fireman, paramedic, [or] technician OR A MEMBER OF THE MILITARY OR RESERVES.

Assault on a peace officer, police officer, fireman, [or] emergency medical services professional OR A MEMBER OF THE MILITARY OR RESERVES is a class C felony.

S 3. This act shall take effect immediately.

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

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