

1827--A

2015-2016 Regular Sessions

I N   S E N A T E

January 15, 2015

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Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to assaulting a retired police officer

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

1     Section 1. Section 120.05 of the penal law is amended by adding a new  
2     subdivision 14 to read as follows:  
3     14. WITH THE INTENT TO CAUSE PHYSICAL INJURY TO A SPECIFIC RETIRED  
4     POLICE OFFICER, AS POLICE OFFICER IS DEFINED PURSUANT TO SUBDIVISION  
5     THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, DUE TO A  
6     BELIEF OR PERCEPTION REGARDING SUCH RETIRED POLICE OFFICER'S INVOLVEMENT  
7     IN A PREVIOUS ARREST OF SUCH PERSON WHILE ON ACTIVE DUTY, HE OR SHE  
8     CAUSES SUCH INJURY TO SUCH RETIRED POLICE OFFICER OR A THIRD PERSON.  
9     S 2. Subdivision 4 of section 120.10 of the penal law, as amended by  
10    chapter 791 of the laws of 1967, is amended and a new subdivision 5 is  
11    added to read as follows:  
12    4. In the course of and in furtherance of the commission or attempted  
13    commission of a felony or of immediate flight therefrom, he, or another  
14    participant if there be any, causes serious physical injury to a person  
15    other than one of the participants[.] ; OR  
16    5. WITH INTENT TO CAUSE SERIOUS PHYSICAL INJURY TO A SPECIFIC RETIRED  
17    POLICE OFFICER, AS POLICE OFFICER IS DEFINED PURSUANT TO SUBDIVISION  
18    THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, DUE TO A  
19    BELIEF OR PERCEPTION REGARDING SUCH RETIRED POLICE OFFICER'S INVOLVEMENT  
20    IN A PREVIOUS ARREST OF SUCH PERSON WHILE ON ACTIVE DUTY, HE OR SHE  
21    CAUSES SUCH INJURY TO SUCH RETIRED POLICE OFFICER OR TO A THIRD PERSON.  
22    S 3. This act shall take effect on the ninetieth day after it shall  
23    have become a law.

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

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