

3343

2015-2016 Regular Sessions

I N S E N A T E

February 5, 2015

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to protecting public health and sanitarian enforcement workers from assault

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

1 Section 1. Subdivisions 3 and 11 of section 120.05 of the penal law,
2 as amended by chapter 196 of the laws of 2014, are amended to read as
3 follows:
4 3. With intent to prevent a peace officer, a police officer, prosecu-
5 tor as defined in subdivision thirty-one of section 1.20 of the criminal
6 procedure law, registered nurse, licensed practical nurse, PUBLIC HEALTH
7 SANITARIAN, NEW YORK CITY PUBLIC HEALTH SANITARIAN, sanitation enforce-
8 ment agent, New York city sanitation worker, a firefighter, including a
9 firefighter acting as a paramedic or emergency medical technician admin-
10 istering first aid in the course of performance of duty as such fire-
11 fighter, an emergency medical service paramedic or emergency medical
12 service technician, or medical or related personnel in a hospital emer-
13 gency department, a city marshal, a school crossing guard appointed
14 pursuant to section two hundred eight-a of the general municipal law, a
15 traffic enforcement officer or traffic enforcement agent, from perform-
16 ing a lawful duty, by means including releasing or failing to control an
17 animal under circumstances evincing the actor's intent that the animal
18 obstruct the lawful activity of such peace officer, police officer,
19 prosecutor as defined in subdivision thirty-one of section 1.20 of the
20 criminal procedure law, registered nurse, licensed practical nurse,
21 PUBLIC HEALTH SANITARIAN, NEW YORK CITY PUBLIC HEALTH SANITARIAN, sani-
22 tation enforcement agent, New York city sanitation worker, firefighter,
23 paramedic, technician, city marshal, school crossing guard appointed
24 pursuant to section two hundred eight-a of the general municipal law,
25 traffic enforcement officer or traffic enforcement agent, he or she

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

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1 causes physical injury to such peace officer, police officer, prosecutor
2 as defined in subdivision thirty-one of section 1.20 of the criminal
3 procedure law, registered nurse, licensed practical nurse, PUBLIC HEALTH
4 SANITARIAN, NEW YORK CITY PUBLIC HEALTH SANITARIAN, sanitation enforce-
5 ment agent, New York city sanitation worker, firefighter, paramedic,
6 technician or medical or related personnel in a hospital emergency
7 department, city marshal, school crossing guard, traffic enforcement
8 officer or traffic enforcement agent; or

9 11. With intent to cause physical injury to a train operator, ticket
10 inspector, conductor, signalperson, bus operator or station agent
11 employed by any transit agency, authority or company, public or private,
12 whose operation is authorized by New York state or any of its political
13 subdivisions, a city marshal, a school crossing guard appointed pursuant
14 to section two hundred eight-a of the general municipal law, a traffic
15 enforcement officer, traffic enforcement agent, prosecutor as defined in
16 subdivision thirty-one of section 1.20 of the criminal procedure law,
17 sanitation enforcement agent, New York city sanitation worker, PUBLIC
18 HEALTH SANITARIAN, NEW YORK CITY PUBLIC HEALTH SANITARIAN, registered
19 nurse or licensed practical nurse he or she causes physical injury to
20 such train operator, ticket inspector, conductor, signalperson, bus
21 operator or station agent, city marshal, school crossing guard appointed
22 pursuant to section two hundred eight-a of the general municipal law,
23 traffic enforcement officer, traffic enforcement agent, prosecutor as
24 defined in subdivision thirty-one of section 1.20 of the criminal proce-
25 dure law, registered nurse, licensed practical nurse, PUBLIC HEALTH
26 SANITARIAN, NEW YORK CITY PUBLIC HEALTH SANITARIAN, sanitation enforce-
27 ment agent or New York city sanitation worker, while such employee is
28 performing an assigned duty on, or directly related to, the operation of
29 a train or bus, or such city marshal, school crossing guard, traffic
30 enforcement officer, traffic enforcement agent, prosecutor as defined in
31 subdivision thirty-one of section 1.20 of the criminal procedure law,
32 registered nurse, licensed practical nurse, PUBLIC HEALTH SANITARIAN,
33 NEW YORK CITY PUBLIC HEALTH SANITARIAN, sanitation enforcement agent or
34 New York city sanitation worker, is performing an assigned duty.

35 S 2. This act shall take effect on the first of November next succeed-
36 ing the date on which it shall have become a law.