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

5198

2015-2016 Regular Sessions

I N S E N A T E

May 7, 2015

Introduced by Sen. MARCELLINO -- 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 expanding the definition of the offense of menacing a police officer or peace officer

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

Section 1. Section 120.18 of the penal law, as added by chapter 765 of the laws of 2005, is amended to read as follows:

S 120.18 Menacing a police officer or peace officer.

A person is guilty of menacing a police officer or peace officer when he or she intentionally places or attempts to place a police officer or peace officer in reasonable fear of physical injury, serious physical injury or death by displaying a DANGEROUS INSTRUMENT, deadly weapon, knife, pistol, revolver, rifle, shotgun, machine gun or other firearm, whether operable or not, where such officer was in the course of performing his or her official duties and the defendant knew or reasonably should have known that such victim was a police officer or peace officer.

Menacing a police officer or peace officer is a class D felony.

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

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

LBD10747-01-5