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I N S E N A T E

May 18, 2016

Introduced by Sen. GOLDEN -- 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 assault in the second degree upon a supervisory member of a transit system

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

1 Section 1. Subdivision 11 of section 120.05 of the penal law, as
2 amended by chapter 487 of the laws of 2015, 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 OR
6 SUPERVISORY PERSONNEL employed by any transit agency, authority or
7 company, public or private, whose operation is authorized by New York
8 state or any of its political subdivisions, a city marshal, a school
9 crossing guard appointed pursuant to section two hundred eight-a of the
10 general municipal law, a traffic enforcement officer, traffic enforce-
11 ment agent, prosecutor as defined in subdivision thirty-one of section
12 1.20 of the criminal procedure law, sanitation enforcement agent, New
13 York city sanitation worker, registered nurse, licensed practical nurse,
14 emergency medical service paramedic, or emergency medical service tech-
15 nician, he or she causes physical injury to such train operator, ticket
16 inspector, conductor, signalperson, bus operator [or], station agent,
17 SUPERVISORY PERSONNEL, city marshal, school crossing guard appointed
18 pursuant to section two hundred eight-a of the general municipal law,
19 traffic enforcement officer, traffic enforcement agent, prosecutor as
20 defined in subdivision thirty-one of section 1.20 of the criminal proce-
21 dure law, registered nurse, licensed practical nurse, sanitation
22 enforcement agent, New York city sanitation worker, emergency medical
23 service paramedic, or emergency medical service technician, while such
24 employee is performing an assigned duty on, or directly related to, the
25 operation of a train or bus, or such city marshal, school crossing
26 guard, traffic enforcement officer, traffic enforcement agent, prosecu-
27 tor as defined in subdivision thirty-one of section 1.20 of the criminal
28 procedure law, registered nurse, licensed practical nurse, sanitation

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

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1 enforcement agent, New York city sanitation worker, emergency medical
2 service paramedic, or emergency medical service technician is performing
3 an assigned duty.

4 S 2. Subdivision 11 of section 120.05 of the penal law, as separately
5 amended by chapters 472 and 487 of the laws of 2015, is amended to read
6 as follows:

7 11. With intent to cause physical injury to a train operator, ticket
8 inspector, conductor, signalperson, bus operator [or], station agent OR
9 SUPERVISORY PERSONNEL employed by any transit agency, authority or
10 company, public or private, whose operation is authorized by New York
11 state or any of its political subdivisions, a city marshal, a school
12 crossing guard appointed pursuant to section two hundred eight-a of the
13 general municipal law, a traffic enforcement officer, traffic enforce-
14 ment agent, prosecutor as defined in subdivision thirty-one of section
15 1.20 of the criminal procedure law, sanitation enforcement agent, New
16 York city sanitation worker, public health sanitarian, New York city
17 public health sanitarian, registered nurse, licensed practical nurse,
18 emergency medical service paramedic, or emergency medical service tech-
19 nician, he or she causes physical injury to such train operator, ticket
20 inspector, conductor, signalperson, bus operator [or], station agent,
21 SUPERVISORY PERSONNEL, 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, New York city sanitation worker, emergency medical service
28 paramedic, or emergency medical service technician, while such employee
29 is performing an assigned duty on, or directly related to, the operation
30 of a train or bus, or such city marshal, school crossing guard, traffic
31 enforcement officer, traffic enforcement agent, prosecutor as defined in
32 subdivision thirty-one of section 1.20 of the criminal procedure law,
33 registered nurse, licensed practical nurse, public health sanitarian,
34 New York city public health sanitarian, sanitation enforcement agent,
35 New York city sanitation worker, emergency medical service paramedic, or
36 emergency medical service technician is performing an assigned duty.

37 S 3. This act shall take effect on the ninetieth day after it shall
38 have become a law; provided, however, if chapter 472 of the laws of 2015
39 shall not have taken effect on or before such date then section two of
40 this act shall take effect on the same date and in the same manner as
41 such chapter of the laws of 2015, takes effect.