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I N   S E N A T E

June 13, 2016

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

AN ACT to amend the penal law, in relation to assaults upon station cleaners and terminal cleaners

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,  
6 STATION CLEANER OR TERMINAL CLEANER employed by any transit agency,  
7 authority or company, public or private, whose operation is authorized  
8 by New York state or any of its political subdivisions, a city marshal,  
9 a school crossing guard appointed pursuant to section two hundred  
10 eight-a of the general municipal law, a traffic enforcement officer,  
11 traffic enforcement agent, subdivision thirty-one of section 1.20 of the  
12 criminal procedure law, sanitation enforcement agent, New York city  
13 sanitation worker, registered nurse, licensed practical nurse, emergency  
14 medical service paramedic, or emergency medical service technician, he  
15 or she causes physical injury to such train operator, ticket inspector,  
16 conductor, signalperson, bus operator [or], station agent, STATION  
17 CLEANER OR TERMINAL CLEANER, city marshal, school crossing guard  
18 appointed pursuant to section two hundred eight-a of the general municipi-  
19 pal law, traffic enforcement officer, traffic enforcement agent, prose-  
20 cutor as defined in subdivision thirty-one of section 1.20 of the crimi-  
21 nal procedure law, registered nurse, licensed practical nurse,  
22 sanitation enforcement agent, New York city sanitation worker, emergency  
23 medical service paramedic, or emergency medical service technician,  
24 while such employee is performing an assigned duty on, or directly  
25 related to, the operation of a train or bus, INCLUDING THE CLEANING OF A  
26 TRAIN OR BUS STATION OR TERMINAL, or such city marshal, school crossing  
27 guard, traffic enforcement officer, traffic enforcement agent, prosecu-  
28 tor as defined in subdivision thirty-one of section 1.20 of the criminal

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

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1 procedure law, registered nurse, licensed practical nurse, sanitation  
2 enforcement agent, New York city sanitation worker, emergency medical  
3 service paramedic, or emergency medical service technician is performing  
4 an assigned duty.

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

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

40 S 3. This act shall take effect on the first of November next succeed-  
41 ing the date upon which it shall have become a law; provided, however,  
42 if chapter 472 of the laws of 2015 shall not have taken effect on or  
43 before such date then section two of this act shall take effect on the  
44 same date and in the same manner as such chapter of the laws of 2015,  
45 takes effect.