

STATE OF NEW YORK

1915

2017-2018 Regular Sessions

IN ASSEMBLY

January 17, 2017

Introduced by M. of A. ABBATE -- read once and referred to the Committee on Codes

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 15 to read as follows:

3 15. 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 regarding such retired police officer's involvement in a previous
7 arrest of such person while on active duty, he or she causes such injury
8 to such retired police officer or a third person.

9 § 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 regarding such retired police officer's involvement in a previous
20 arrest of such person while on active duty, he or she causes such injury
21 to such retired police officer or to a third person.

22 § 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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