

STATE OF NEW YORK

2567

2017-2018 Regular Sessions

IN ASSEMBLY

January 20, 2017

Introduced by M. of A. PAULIN, COLTON, SKOUFIS, MONTESANO, GOTTFRIED,
OTIS, DenDEKKER, GRAF, RAIA, CROUCH, SCHIMMINGER, BLAKE, HOOPER --
Multi-Sponsored by -- M. of A. ABBATE, ENGLEBRIGHT, GARBARINO, LUPAR-
DO, MAGEE, RIVERA, THIELE -- read once and referred to the Committee
on Codes

AN ACT to amend the penal law, in relation to assault on a member of the
military or reserves

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Section 10.00 of the penal law is amended by adding a new
2 subdivision 22 to read as follows:

3 22. "Member of the military or reserves" means (a) a member of the
4 United States army, navy, air force, marines, coast guard, army national
5 guard, air national guard and/or reserves thereof or (b) a member of the
6 New York guard or the New York naval militia.

7 § 2. Section 120.08 of the penal law, as added by chapter 632 of the
8 laws of 1996, is amended to read as follows:

9 § 120.08 Assault on a peace officer, police officer, fireman [~~or~~], emer-
10 gency medical services professional or a member of the mili-
11 tary or reserves.

12 A person is guilty of assault on a peace officer, police officer,
13 fireman [~~or~~], emergency medical services professional or a member of the
14 military or reserves when, with intent to prevent a peace officer,
15 police officer, a fireman, including a fireman acting as a paramedic or
16 emergency medical technician administering first aid in the course of
17 performance of duty as such fireman, [~~or~~] an emergency medical service
18 paramedic or emergency medical service technician, or a member of the
19 military or reserves, from performing a lawful duty, he causes serious
20 physical injury to such peace officer, police officer, fireman, paramed-
21 ic [~~or~~], technician or a member of the military or reserves.

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

LBD00834-01-7

1 Assault on a peace officer, police officer, fireman [~~or~~], emergency
2 medical services professional or a member of the military or reserves is
3 a class C felony.
4 § 3. This act shall take effect immediately.