STATE OF NEW YORK

4122

2017-2018 Regular Sessions

IN ASSEMBLY

February 1, 2017

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

AN ACT to amend the penal law, in relation to aggravated assault upon a police officer

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

Section 1. Section 120.11 of the penal law, as amended by section 283 of the laws of 1993, is amended to read as follows:

§ 120.11 Aggravated assault upon a police officer or a peace officer.

A person is guilty of aggravated assault upon a police officer or a peace officer when[~~, with~~]**:**

(a) With intent to cause serious physical injury to a person whom he **or she** knows or reasonably should know to be a police officer or a peace officer engaged in the course of performing his **or her** official duties, he **or she** causes such injury by means of a deadly weapon or dangerous instrument**; or**

(b) With intent to cause physical injury to a person whom he or she knows or reasonably should know to be a police officer or a peace officer engaged in the course of performing his or her official duties and when aided by two or more other persons actually present at an assembly in a public place, as such term is defined in subdivision one of section 240.00 of this chapter, he or she causes physical injury to such police officer or peace officer.

Aggravated assault upon a police officer or a peace officer is a class B felony.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.

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

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