STATE OF NEW YORK

1022

2017-2018 Regular Sessions

IN SENATE

January 6, 2017

Introduced by Sens. FUNKE, AVELLA, BOYLE, GALLIVAN, LARKIN, SAVINO, YOUNG -- 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 the crime of obstructing firefighting operations

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

Section 1. Section 195.15 of the penal law, as amended by chapter 731 of the laws of 1981, is amended to read as follows:

§ 195.15 Obstructing firefighting operations.

A person is guilty of obstructing firefighting operations when he **or she** intentionally and unreasonably obstructs the efforts of any:

1. [~~fireman~~] **firefighter** in extinguishing a fire, or prevents or dissuades another from extinguishing or helping to extinguish a fire; [~~or~~]

2. [~~fireman~~] **firefighter**, police officer or peace officer in performing his **or her** duties in circumstances involving an imminent danger created by an explosion, threat of explosion or the presence of toxic fumes or gases**; or**

3. firefighter performing emergency medical care on a sick or injured person.

Obstructing firefighting operations is a class A misdemeanor.

§ 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

LBD04163-01-7