

STATE OF NEW YORK

5343--B

2017-2018 Regular Sessions

IN SENATE

March 22, 2017

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to the offense of assault on a teacher

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

1 Section 1. The penal law is amended by adding a new section 120.00-a
2 to read as follows:

3 § 120.00-a Assault on a teacher.

4 A person is guilty of assault on a teacher when, with intent to cause
5 physical injury to a teacher, he or she causes such injury to such
6 teacher while upon school grounds as defined in subdivision fourteen of
7 section 220.00 of this part.

8 Assault on a teacher is a class E felony.

9 § 2. Subdivision 10 of section 120.05 of the penal law, as amended by
10 chapter 268 of the laws of 2016, is amended to read as follows:

11 10. Acting at a place the person knows, or reasonably should know, is
12 on school grounds and with intent to cause physical injury, he or she[+

13 ~~(a) causes such injury to an employee of a school or public school~~
14 ~~district; or~~

15 ~~(b)]~~, not being a student of such school or public school district,
16 causes physical injury to another, and such other person is a student of
17 such school who is attending or present for educational purposes. For
18 purposes of this subdivision the term "school grounds" shall have the
19 meaning set forth in subdivision fourteen of section 220.00 of this
20 ~~chapter~~ part; or

21 § 3. This act shall take effect on the first of November next succeed-
22 ing 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.

LBD10761-03-7