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:

Section 1. Section 120.05 of the penal law is amended by adding a new subdivision 15 to read as follows:

15. With the intent to cause physical injury to a specific retired police officer, as police officer is defined pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law, due to a belief regarding such retired police officer's involvement in a previous arrest of such person while on active duty, he or she causes such injury to such retired police officer or a third person.

§ 2. Subdivision 4 of section 120.10 of the penal law, as amended by chapter 791 of the laws of 1967, is amended and a new subdivision 5 is added to read as follows:

4. In the course of and in furtherance of the commission or attempted commission of a felony or of immediate flight therefrom, he, or another participant if there be any, causes serious physical injury to a person other than one of the participants[~~.~~] **; or**

5. With intent to cause serious physical injury to a specific retired police officer, as police officer is defined pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law, due to a belief regarding such retired police officer's involvement in a previous arrest of such person while on active duty, he or she causes such injury to such retired police officer or to a third person.

§ 3. This act shall take effect on the ninetieth 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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