

STATE OF NEW YORK

5343--C

Cal. No. 1415

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 -- recommitted to the Committee on Codes in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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

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 school employee.
4 A person is guilty of assault on a school employee when, acting at a
5 place the person knows, or reasonably should know, is on school grounds
6 as defined in subdivision fourteen of section 220.00 of this part, and
7 with intent to cause physical injury to an employee of a school or
8 public school district, he or she causes such injury to such employee.
9 Assault on a school employee is a class C felony.
10 § 2. Subdivision 10 of section 120.05 of the penal law, as amended by
11 chapter 268 of the laws of 2016, is amended to read as follows:
12 10. Acting at a place the person knows, or reasonably should know, is
13 on school grounds and with intent to cause physical injury, he or she[+
14 ~~(a) causes such injury to an employee of a school or public school~~
15 ~~district, or~~
16 ~~(b)]~~, not being a student of such school or public school district,
17 causes physical injury to another, and such other person is a student of
18 such school who is attending or present for educational purposes. For

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

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1 purposes of this subdivision the term "school grounds" shall have the
2 meaning set forth in subdivision fourteen of section 220.00 of this
3 [~~chapter~~ part]; or
4 § 3. This act shall take effect on the first of November next succeed-
5 ing the date on which it shall have become a law.