

STATE OF NEW YORK

643

2017-2018 Regular Sessions

IN SENATE

January 4, 2017

Introduced by Sen. BOYLE -- 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 protecting registered security guards in a hospital or health care facility from assault

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

1 Section 1. Subdivisions 3 and 11 of section 120.05 of the penal law,
2 subdivision 3 as amended by chapter 267 of the laws of 2016 and subdivi-
3 sion 11 as separately amended by chapters 268 and 281 of the laws of
4 2016, are amended to read as follows:

5 3. With intent to prevent a peace officer, a police officer, prosecu-
6 tor as defined in subdivision thirty-one of section 1.20 of the criminal
7 procedure law, registered nurse, licensed practical nurse, public health
8 sanitarian, New York city public health sanitarian, sanitation enforce-
9 ment agent, New York city sanitation worker, a firefighter, including a
10 firefighter acting as a paramedic or emergency medical technician admin-
11 istering first aid in the course of performance of duty as such fire-
12 fighter, an emergency medical service paramedic or emergency medical
13 service technician, or medical or related personnel in a hospital emer-
14 gency department, a registered security guard in a hospital or health
15 care facility, a city marshal, a school crossing guard appointed pursu-
16 ant to section two hundred eight-a of the general municipal law, a traf-
17 fic enforcement officer, traffic enforcement agent or employee of any
18 entity governed by the public service law in the course of performing an
19 essential service, from performing a lawful duty, by means including
20 releasing or failing to control an animal under circumstances evincing
21 the actor's intent that the animal obstruct the lawful activity of such
22 peace officer, police officer, prosecutor as defined in subdivision
23 thirty-one of section 1.20 of the criminal procedure law, registered
24 nurse, licensed practical nurse, public health sanitarian, New York city
25 public health sanitarian, sanitation enforcement agent, New York city

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

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1 sanitation worker, firefighter, paramedic, technician, city marshal,
2 school crossing guard appointed pursuant to section two hundred eight-a
3 of the general municipal law, traffic enforcement officer, traffic
4 enforcement agent or employee of an entity governed by the public
5 service law, he or she causes physical injury to such peace officer,
6 police officer, prosecutor as defined in subdivision thirty-one of
7 section 1.20 of the criminal procedure law, registered nurse, licensed
8 practical nurse, public health sanitarian, New York city public health
9 sanitarian, sanitation enforcement agent, New York city sanitation work-
10 er, firefighter, paramedic, technician or medical or related personnel
11 in a hospital emergency department, a registered security guard in a
12 hospital or health care facility, city marshal, school crossing guard,
13 traffic enforcement officer, traffic enforcement agent or employee of an
14 entity governed by the public service law; or

15 11. With intent to cause physical injury to a train operator, ticket
16 inspector, conductor, signalperson, bus operator, station agent, station
17 cleaner or terminal cleaner employed by any transit agency, authority or
18 company, public or private, whose operation is authorized by New York
19 state or any of its political subdivisions, a city marshal, a school
20 crossing guard appointed pursuant to section two hundred eight-a of the
21 general municipal law, a traffic enforcement officer, traffic enforce-
22 ment agent, prosecutor as defined in subdivision thirty-one of section
23 1.20 of the criminal procedure law, sanitation enforcement agent, New
24 York city sanitation worker, public health sanitarian, New York city
25 public health sanitarian, registered nurse, licensed practical nurse,
26 emergency medical service paramedic, or emergency medical service tech-
27 nician, or a registered security guard in a hospital or health care
28 facility, he or she causes physical injury to such train operator, tick-
29 et inspector, conductor, signalperson, bus operator, station agent,
30 station cleaner or terminal cleaner, city marshal, school crossing guard
31 appointed pursuant to section two hundred eight-a of the general munici-
32 pal law, traffic enforcement officer, traffic enforcement agent, prose-
33 cutor as defined in subdivision thirty-one of section 1.20 of the crimi-
34 nal procedure law, registered nurse, licensed practical nurse, public
35 health sanitarian, New York city public health sanitarian, sanitation
36 enforcement agent, New York city sanitation worker, emergency medical
37 service paramedic, [~~or~~] emergency medical service technician, or a
38 registered security guard in a hospital or health care facility, while
39 such employee is performing an assigned duty on, or directly related to,
40 the operation of a train or bus, including the cleaning of a train or
41 bus station or terminal, or such city marshal, school crossing guard,
42 traffic enforcement officer, traffic enforcement agent, prosecutor as
43 defined in subdivision thirty-one of section 1.20 of the criminal proce-
44 dure law, registered nurse, licensed practical nurse, public health
45 sanitarian, New York city public health sanitarian, sanitation enforce-
46 ment agent, New York city sanitation worker, emergency medical service
47 paramedic, [~~or~~] emergency medical service technician, or a registered
48 security guard in a hospital or health care facility, is performing an
49 assigned duty; or

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