STATE OF NEW YORK

6967

2019-2020 Regular Sessions

IN ASSEMBLY

March 29, 2019

Introduced by M. of A. DenDEKKER -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to assault on a peace officer, police officer, firefighter, emergency medical services professional, sanitation enforcement agent or New York city sanitation worker

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

Section 1. Section 120.08 of the penal law, as added by chapter 476 of the laws of 2018, is amended to read as follows:

§ 120.08 Assault on a peace officer, police officer, firefighter [~~or~~], emergency medical services professional, sanitation enforcement agent or New York city sanitation worker in the first degree.

A person is guilty of assault on a peace officer, police officer, firefighter [~~or~~], emergency medical services professional, sanitation enforcement agent or New York city sanitation worker in the first degree when, with intent to prevent a peace officer, police officer, a firefighter, including a firefighter acting as a paramedic [~~or~~], emergency medical technician administering first aid in the course of performance of duty as such firefighter, [~~or~~] an emergency medical service paramedic [~~or~~], emergency medical service technician, sanitation enforcement agent or New York city sanitation worker from performing a lawful duty, he or she causes serious physical injury to such peace officer, police officer, firefighter, paramedic [~~or~~], technician, sanitation enforcement agent or New York city sanitation worker.

Assault on a peace officer, police officer, firefighter [~~or~~], emergency medical services professional, sanitation enforcement agent or New York city sanitation worker in the first degree is a class C felony.

§ 2. The penal law is amended by adding a new section 120.08-a to read as follows:

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

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§ 120.08-a Assault on a peace officer, police officer, firefighter, emergency medical services professional, sanitation enforcement agent or New York city sanitation worker in the second degree.

A person is guilty of assault on a peace officer, police officer, firefighter, emergency medical services professional, sanitation enforcement agent or New York city sanitation worker in the second degree when, with intent to prevent a peace officer, police officer, a firefighter, including a firefighter acting as a paramedic or emergency medical technician administering first aid in the course of performance of duty as such firefighter, an emergency medical service paramedic or emergency medical service technician, sanitation enforcement agent, or New York city sanitation worker from performing a lawful duty, he or she causes physical injury to such peace officer, police officer, firefighter, paramedic, technician, sanitation enforcement agent or New York city sanitation worker.

Assault on a peace officer, police officer, firefighter, emergency medical services professional, sanitation enforcement agent or New York city sanitation worker in the second degree is a class D felony.

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