

STATE OF NEW YORK

7638

2019-2020 Regular Sessions

IN ASSEMBLY

May 14, 2019

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 assault in the second degree upon a supervisory member of a transit system

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

1 Section 1. Subdivision 11 of section 120.05 of the penal law, as separately amended by chapters 268 and 281 of the laws of 2016, is amended to read as follows:

2 11. With intent to cause physical injury to a train operator, ticket
3 inspector, conductor, signalperson, bus operator, station agent, station
4 cleaner ~~[or]~~, terminal cleaner or supervisory personnel employed by any
5 transit agency, authority or company, public or private, whose operation
6 is authorized by New York state or any of its political subdivisions, a
7 city marshal, a school crossing guard appointed pursuant to section two
8 hundred eight-a of the general municipal law, a traffic enforcement
9 officer, traffic enforcement agent, prosecutor as defined in subdivision
10 thirty-one of section 1.20 of the criminal procedure law, sanitation
11 enforcement agent, New York city sanitation worker, public health sanitarian, New York city public health sanitarian, registered nurse,
12 licensed practical nurse, emergency medical service paramedic, or emergency medical service technician, he or she causes physical injury to
13 such train operator, ticket inspector, conductor, signalperson, bus
14 operator, station agent, station cleaner ~~[or]~~, terminal cleaner, or
15 supervisory personnel, city marshal, school crossing guard appointed
16 pursuant to section two hundred eight-a of the general municipal law,
17 traffic enforcement officer, traffic enforcement agent, prosecutor as
18 defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, public health
19 sanitarian, New York city public health sanitarian, sanitation enforcement agent, New York city sanitation worker, emergency medical service

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

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1 paramedic, or emergency medical service technician, while such employee
2 is performing an assigned duty on, or directly related to, the operation
3 of a train or bus, including the cleaning of a train or bus station or
4 terminal, or such city marshal, school crossing guard, traffic enforce-
5 ment officer, traffic enforcement agent, prosecutor as defined in subdi-
6 vision thirty-one of section 1.20 of the criminal procedure law, regis-
7 tered nurse, licensed practical nurse, public health sanitarian, New
8 York city public health sanitarian, sanitation enforcement agent, New
9 York city sanitation worker, emergency medical service paramedic, or
10 emergency medical service technician is performing an assigned duty; or
11 § 2. This act shall take effect on the ninetieth day after it shall
12 have become a law.