STATE OF NEW YORK

8528

2019-2020 Regular Sessions

IN ASSEMBLY

August 7, 2019

Introduced by M. of A. SMITH, RA, DeSTEFANO, LiPETRI, PALUMBO, GARBARINO, KOLB, MIKULIN, BYRNES, DiPIETRO, GIGLIO, LALOR, MONTESANO, BRABENEC, M. L. MILLER, LAWRENCE, JOHNS, TAGUE, MANKTELOW, PALMESANO, B. MILLER, McDONOUGH -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to establishing the offense of obstructing a police officer

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

Section 1. The penal law is amended by adding a new section 195.09 to read as follows:

§ 195.09 Obstructing a police officer.

A person is guilty of obstructing a police officer when he or she intentionally interferes with, inhibits, or attempts to interfere with or inhibit, a police officer or a peace officer from engaging in the course of performing their official duties, including but not limited to:

1. spitting, throwing or spilling items, liquid or otherwise, at or on such officer; or

2. pushing, shoving, kicking, physically impeding or otherwise subjecting such officer to physical contact.

Obstructing a police officer is a class E felony.

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

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

LBD13559-02-9