

STATE OF NEW YORK

10420

IN ASSEMBLY

May 11, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Thiele) --
read once and referred 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
26 sanitation worker, firefighter, paramedic, technician, city marshal,
27 school crossing guard appointed pursuant to section two hundred eight-a
28 of the general municipal law, traffic enforcement officer, traffic

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

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

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

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