STATE OF NEW YORK

2279

2019-2020 Regular Sessions

IN ASSEMBLY

January 22, 2019

Introduced by M. of A. GUNTHER, ORTIZ, COLTON, WOERNER, BRAUNSTEIN, BLAKE, RODRIGUEZ, MOSLEY, RAIA, PALMESANO, B. MILLER, BRABENEC -- Multi-Sponsored by -- M. of A. CROUCH, DiPIETRO, FRIEND, GALEF, GIGLIO, GOODELL, HAWLEY, McDONOUGH, STEC -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to aggravated harassment of an employee by an inmate

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

Section 1. The opening paragraph of section 240.32 of the penal law, as amended by chapter 180 of the laws of 2013, is amended to read as follows:

An inmate or respondent is guilty of aggravated harassment of an employee by an inmate when, with intent to harass, annoy, threaten or alarm a person in a facility whom he or she knows or reasonably should know to be an employee of such facility or the board of parole or the office of mental health, or a probation department, bureau or unit or a police officer, he or she causes or attempts to cause such employee to come into contact with blood, **saliva,** seminal fluid, urine, feces, or the contents of a toilet bowl, by throwing, tossing**, intentionally expectorating** or expelling such fluid or material.

§ 2. This act shall take effect immediately.

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

LBD00892-01-9