STATE OF NEW YORK

4149

2021-2022 Regular Sessions

IN ASSEMBLY

February 1, 2021

Introduced by M. of A. COLTON, BUTTENSCHON, SAYEGH, COOK, DICKENS, SEAWRIGHT, B. MILLER, MONTESANO, DeSTEFANO, MORINELLO, McDONOUGH, STERN -- Multi-Sponsored by -- M. of A. SALKA -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to establishing the offenses of obstructing governmental administration by means of dousing a police officer in the first degree, obstructing governmental administration by means of dousing a police officer in the second degree and obstructing governmental administration by means of dousing a police officer in the third degree

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 three new sections 195.21, 195.22 and 195.23 to read as follows:

§ 195.21 Obstructing governmental administration by means of dousing a police officer in the third degree.

A person is guilty of obstructing governmental administration by means of dousing a police officer in the third degree when, with the intent to annoy, harass or intimidate a police officer or peace officer performing a lawful duty, he or she throws at or otherwise discharges water or another liquid on the police officer or peace officer.

Obstructing governmental administration by means of dousing a police officer in the third degree is a class A misdemeanor.

§ 195.22 Obstructing governmental administration by means of dousing a police officer in the second degree.

A person is guilty of obstructing governmental administration by means of dousing a police officer in the second degree when, with the intent to prevent a police officer or peace officer from making an arrest or apprehending a suspect, he or she throws at or otherwise discharges water or another liquid on the police officer or peace officer.

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

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Obstructing governmental administration by means of dousing a police officer in the second degree is a class D felony.

§ 195.23 Obstructing governmental administration by means of dousing a police officer in the first degree.

A person is guilty of obstructing governmental administration by means of dousing a police officer in the first degree when, with the intent to cause serious injury, as defined in section 10.00 of this chapter, to a police officer or peace officer, he or she throws at or otherwise discharges water or another liquid on the police officer or peace officer.

Obstructing governmental administration by means of dousing a police officer in the first degree is a class C felony.

§ 2. This act shall take effect on the first of November next succeeding the date upon which it shall have become a law. Effective immediately the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.