STATE OF NEW YORK

5911

2021-2022 Regular Sessions

IN SENATE

March 22, 2021

Introduced by Sen. MARTUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to the assault on sports officials

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

Section 1. Subdivision 14 of section 120.05 of the penal law, as added by chapter 268 of the laws of 2016, is amended and a new subdivision 15 is added to read as follows:

14. With intent to prevent or obstruct a process server, as defined in section eighty-nine-t of the general business law, from performing a lawful duty pursuant to article three of the civil practice law and rules, or intentionally, as retaliation against such a process server for the performance of the process server's duties pursuant to such article, including by means of releasing or failing to control an animal evincing the actor's intent that the animal prevent or obstruct the lawful duty of the process server or as retaliation against the process server, he or she causes physical injury to such process server[~~.~~]**; or**

15. With intent to cause physical injury to a sports official as defined in subdivision three of section 180.35 of this chapter, he or she causes such injury to such sports official in or on or within any building, structure, athletic playing field or playground at which the sports contest is conducted; including any and all surrounding parking facilities or areas designated for parking for such sports contests.

§ 2. The penal law is amended by adding a new section 240.33 to read as follows:

§ 240.33 Aggravated harassment of a sports official.

A person is guilty of aggravated harassment of a sports official when, with intent to harass, annoy, threaten or alarm a sports official as defined in subdivision three of section 180.35 of this part, he or she:

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

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1. Strikes, shoves, kicks or otherwise subjects such sports official to physical contact, or attempts to threaten to do the same; or

2. Causes or attempts to cause such sports official to come into contact with saliva by expelling such fluid at a sports contest.

Aggravated harassment of a sports official is a class B misdemeanor.

§ 3. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.