

# STATE OF NEW YORK

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5911

2021-2022 Regular Sessions

## IN SENATE

March 22, 2021

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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:

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

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

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

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

21 § 240.33 Aggravated harassment of a sports official.

22 A person is guilty of aggravated harassment of a sports official when,  
23 with intent to harass, annoy, threaten or alarm a sports official as  
24 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     1. Strikes, shoves, kicks or otherwise subjects such sports official  
2     to physical contact, or attempts to threaten to do the same; or

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

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

6     § 3. This act shall take effect on the first of November next succeed-  
7     ing the date on which it shall have become a law.