STATE OF NEW YORK

9267

IN SENATE

May 12, 2022

Introduced by Sen. SKOUFIS -- 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 increasing penalties for assault, obstruction and harassment of election officers

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

Section 1. Subdivision 11 of section 120.05 of the penal law, as separately amended by chapters 268 and 281 of the laws of 2016, is amended to read as follows:

11. With intent to cause physical injury to a train operator, ticket inspector, conductor, signalperson, bus operator, station agent, station cleaner or terminal cleaner employed by any transit agency, authority or company, public or private, whose operation is authorized by New York state or any of its political subdivisions, a city marshal, a school crossing guard appointed pursuant to section two hundred eight-a of the general municipal law, a traffic enforcement officer, traffic enforcement agent, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, sanitation enforcement agent, New York city sanitation worker, public health sanitarian, New York city public health sanitarian, registered nurse, licensed practical nurse, emergency medical service paramedic, [~~or~~] emergency medical service technician, **or election officer as defined in section 1-104 of the election law,** he or she causes physical injury to such train operator, ticket inspector, conductor, signalperson, bus operator, station agent, station cleaner or terminal cleaner, city marshal, school crossing guard appointed pursuant to section two hundred eight-a of the general municipal law, traffic enforcement officer, traffic enforcement agent, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, public health sanitarian, New York city public health sanitarian, sanitation enforcement agent, New York city sanitation worker, emergency medical service paramedic, [~~or~~] emergency medical service technician **or election officer**, while such employee is performing an assigned duty on, or directly related to, the operation of a train or bus, including the

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

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cleaning of a train or bus station or terminal, or such city marshal, school crossing guard, traffic enforcement officer, traffic enforcement agent, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, public health sanitarian, New York city public health sanitarian, sanitation enforcement agent, New York city sanitation worker, emergency medical service paramedic, [~~or~~] emergency medical service technician**, or election officer** is performing an assigned duty; or

§ 2. Section 195.05 of the penal law, as amended by chapter 269 of the laws of 1998, is amended to read as follows:

§ 195.05 Obstructing governmental administration in the second degree.

A person is guilty of obstructing governmental administration when he **or she** intentionally obstructs, impairs or perverts the administration of law or other governmental function or prevents or attempts to prevent a public servant**, including an election officer,** from performing an official function, by means of intimidation, physical force or interference, or by means of any independently unlawful act, or by means of interfering, whether or not physical force is involved, with radio, telephone, television or other telecommunications systems owned or operated by the state, or a county, city, town, village, fire district or emergency medical service or by means of releasing a dangerous animal under circumstances evincing the actor's intent that the animal obstruct governmental administration.

Obstructing governmental administration is a class A misdemeanor.

§ 3 . Section 240.30 of the penal law is amended by adding a new subdivision 3-a to read as follows:

3-a. With the intent to harass, annoy, threaten or alarm an election officer, he or she strikes, shoves, kicks, or otherwise subjects another person to physical contact, or attempts or threatens to do the same while such election officer is performing his or her official duties; or

§ 4. This act shall take effect immediately.