STATE OF NEW YORK

3208

2021-2022 Regular Sessions

IN SENATE

January 28, 2021

Introduced by Sens. ORTT, AKSHAR, BORRELLO, BOYLE, GALLIVAN, GRIFFO, HELMING, JORDAN, LANZA, MARTUCCI, MATTERA, OBERACKER, O'MARA, PALUMBO, RATH, RITCHIE, SERINO, STEC, TEDISCO, WEIK -- 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 aggravated harassment of a police officer

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 a new section 240.33 to read as follows:

§ 240.33 Aggravated harassment of a police officer.

A person is guilty of aggravated harassment of a police officer when, with intent to harass, annoy, threaten or alarm a person whom he or she knows or reasonably should know to be a police officer, he or she causes or attempts to cause such police officer to come into contact with bottles, rocks, flammable liquids, hazardous or dangerous substances or objects, blood, seminal fluid, urine, feces, saliva or the contents of a toilet bowl, by throwing, tossing, intentionally expectorating or expelling such fluid or material.

The term "police officer" shall mean a police officer as defined in subdivision thirty-four of section 1.20 of the criminal procedure law.

Aggravated harassment of a police officer is a class D felony.

§ 2. This act shall take effect immediately.

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

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