STATE OF NEW YORK

5540

2023-2024 Regular Sessions

IN ASSEMBLY

March 16, 2023

Introduced by M. of A. SMITH -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to establishing the offense of obstructing 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 195.09 to read as follows:

§ 195.09 Obstructing a police officer.

A person is guilty of obstructing a police officer when he or she intentionally interferes with, inhibits, or attempts to interfere with or inhibit, a police officer or a peace officer from engaging in the course of performing their official duties, including but not limited to:

1. spitting, throwing or spilling items, liquid or otherwise, at or on such officer; or

2. pushing, shoving, kicking, physically impeding or otherwise subjecting such officer to physical contact.

Obstructing a police officer is a class E felony.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law.

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

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