STATE OF NEW YORK

9208

IN ASSEMBLY

February 16, 2024

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

AN ACT to amend the penal law, in relation to deeming assault on certain employees assigned to an airport, while in performance of their assigned duties, or in direct relation thereto, to be assault in the second degree

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 amended by chapter 233 of the laws of 2022, 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, terminal cleaner, station customer assistant; person whose official duties include the sale or collection of tickets, passes, vouchers, or other revenue payment media for use on a train or bus or the collection or handling of revenues therefrom; a person whose official duties include the maintenance, repair, inspection, troubleshooting, testing or cleaning of buses, a transit signal system, elevated or underground subway tracks, transit station structure, including fare equipment, escalators, elevators and other equipment necessary to passenger service, commuter rail tracks or stations, train yard, revenue train in passenger service, or a train or bus station or terminal; or a supervisor of such personnel, employed by any transit or commuter rail 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 a flight crew member or flight**

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

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attendant of the aircraft, a terminal cleaner, cabin cleaner, facilities cleaner, wheelchair assist employee, baggage handler, skycap, ticket agent, customer services employee, security guard, queue management employee, shuttle bus driver, or any employee whose duties require him or her to work on the tarmac, employed by any airport, airport authority or company, public or private, that performs such services at an airport, he or she causes physical injury to such terminal cleaner, cabin cleaner, facilities cleaner, wheelchair assist employee, baggage handler, skycap, ticket agent, customer services employee, security guard, queue management employee, shuttle bus driver, or any employee whose duties require him or her to work on the tarmac, while such employee is performing an assigned duty of, or directly related to, such services at an airport in the state of New York, he or she causes physical injury to such train operator, ticket inspector, conductor, signalperson, bus operator, station agent, station cleaner, terminal cleaner, station customer assistant; person whose official duties include the sale or collection of tickets, passes, vouchers or other revenue payment media for use on a train or bus or the collection or handling of revenues therefrom; a person whose official duties include the maintenance, repair, inspection, troubleshooting, testing or cleaning of buses, a transit signal system, elevated or underground subway tracks, transit station structure, including fare equipment, escalators, elevators and other equipment necessary to passenger service, commuter rail tracks or stations, train yard, revenue train in passenger service, or a train or bus station or terminal; or a supervisor of such personnel, 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 a flight crew member or flight attendant of the aircraft, a terminal cleaner, cabin cleaner, facilities cleaner, wheelchair assist employee, baggage handler, skycap, ticket agent, customer services employee, security guard, queue management employee, shuttle bus driver, or any employee whose duties require him or her to work on the tarmac, employed by any airport, airport authority or company, public or private, that performs such services at an airport, he or she causes physical injury to such terminal cleaner, cabin cleaner, facilities cleaner, wheelchair assist employee, baggage handler, skycap, ticket agent, customer services employee, security guard, queue management employee, shuttle bus driver, or any employee whose duties require him or her to work on the tarmac, while such employee is performing an assigned duty of, or directly related to, such services at an airport in the state of New York, while such employee is performing an assigned duty on, or directly related to, the operation of a train or bus, cleaning of a train or bus station or terminal, assisting customers, the sale or collection of tickets, passes, vouchers, or other revenue media for use on a train or bus, or maintenance or cleaning of a train, a bus, or bus station or terminal, signal system, elevated or underground subway tracks, transit station structure, including fare equipment, escalators, elevators and other equipment necessary to passenger service, commuter rail tracks or stations, train yard or revenue train in passenger service, or such city marshal, school crossing guard, traffic enforcement officer, traffic enforcement agent, prosecutor as defined in subdi-

vision 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 is performing an assigned duty; or a flight crew member or flight attendant of the aircraft, a terminal cleaner, cabin cleaner, facilities cleaner, wheelchair assist employee, baggage handler, skycap, ticket agent, customer services employee, security guard, queue management employee, shuttle bus driver, or any employee whose duties require him or her to work on the tarmac, employed by any airport, airport authority or company, public or private, that performs such services at an airport, he or she causes physical injury to such terminal cleaner, cabin cleaner, facilities cleaner, wheelchair assist employee, baggage handler, skycap, ticket agent, customer services employee, security guard, queue management employee, shuttle bus driver, or any employee whose duties require him or her to work on the tarmac, while such employee is performing an assigned duty of, or directly related to, such services at an airport in the state of New York; or

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