STATE OF NEW YORK

2037

2023-2024 Regular Sessions

IN SENATE

January 18, 2023

Introduced by Sen. STEC -- 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 expanding the offense of assault in the second degree to include the infliction of serious physical injury in the course of committing hazing in the first degree

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

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

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

15. In the course of and in furtherance of the commission of the crime of hazing in the first degree, as defined in section 120.16 of this article, he or she, or another participant if there be any, causes serious physical injury to another person.

§ 2. This act shall take effect on the first of November next succeeding the date on which 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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