STATE OF NEW YORK

2827

2023-2024 Regular Sessions

IN SENATE

January 24, 2023

Introduced by Sen. LANZA -- 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 the offense of assault on a school employee

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 120.00-a to read as follows:

§ 120.00-a Assault on a school employee.

A person is guilty of assault on a school employee when, acting at a place the person knows, or reasonably should know, is on school grounds as defined in subdivision fourteen of section 220.00 of this part, and with intent to cause physical injury to an employee of a school or public school district, he or she causes such injury to such employee.

Assault on a school employee is a class C felony.

§ 2. Subdivision 10 of section 120.05 of the penal law, as amended by chapter 268 of the laws of 2016, is amended to read as follows:

10. Acting at a place the person knows, or reasonably should know, is on school grounds and with intent to cause physical injury, he or she[~~:~~

~~(a) causes such injury to an employee of a school or public school district; or~~

~~(b)~~], not being a student of such school or public school district, causes physical injury to another, and such other person is a student of such school who is attending or present for educational purposes. For purposes of this subdivision the term "school grounds" shall have the meaning set forth in subdivision fourteen of section 220.00 of this [~~chapter~~] **part**; or

§ 3. 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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