STATE OF NEW YORK

4759

2023-2024 Regular Sessions

IN SENATE

February 14, 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 establishing the class C felony of assault of a patient in a mental health or developmental disability facility

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 120.05-a to read as follows:

§ 120.05-a Assault of a patient in a mental health or developmental disability facility.

A person is guilty of assault of a patient in a mental health or developmental disability facility when with intent to cause physical injury to a patient residing in a facility operated, licensed or certified by the office of mental health or the office for people with developmental disabilities, he or she causes such injury to such person.

Assault of a patient in a mental health or developmental disability facility is a class C felony.

§ 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.

LBD08734-01-3