

# STATE OF NEW YORK

8539

## IN SENATE

February 12, 2024

Introduced by Sen. SCARCELLA-SPANTON -- 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 categorizing the assault  
of certain employees of the New York city department of buildings or  
the New York city department of housing preservation and development  
as a class D felony

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

1 Section 1. Section 120.05 of the penal law is amended by adding two  
2 new subdivisions 3-d and 11-d to read as follows:

3 3-d. With intent to prevent an employee of the New York city depart-  
4 ment of buildings or the New York city department of housing preserva-  
5 tion and development in the titles construction inspector, housing  
6 inspector, associate housing inspector level I and level II, elevator  
7 inspector, associate elevator inspector, plumbing inspector, boiler  
8 inspector, low-pressure boiler inspector, hoist and rigging inspector,  
9 or inspector multi-discipline, from performing his or her lawful duties  
10 he or she causes physical injury to such employee; or

11 11-d. With intent to cause physical injury to an employee of the New  
12 York city department of buildings or the New York city department of  
13 housing preservation and development in the titles construction inspec-  
14 tor, housing inspector, associate housing inspector level I and level  
15 II, elevator inspector, associate elevator inspector, plumbing inspec-  
16 tor, boiler inspector, low-pressure boiler inspector, hoist and rigging  
17 inspector, or inspector multi-discipline, performing his or her lawful  
18 duties he or she causes physical injury to such employee; or

19 § 2. This act shall take effect immediately.

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

LBD13428-01-3