

STATE OF NEW YORK

11053

IN ASSEMBLY

April 24, 2026

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

AN ACT to amend the penal law, in relation to assault in the first and
second degree in places, conveyances, or vehicles used for public
transportation or public transit

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

1 Section 1. Subdivision 14 of section 120.05 of the penal law, as added
2 by chapter 268 of the laws of 2016, is amended and two new subdivisions
3 15 and 16 are added to read as follows:

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

14 15. With intent to cause physical injury to another person, such
15 person causes such injury to such other person or to a third person in
16 any place, conveyance, or vehicle used for public transportation or
17 public transit, including subway cars, train cars, buses, ferries, rail-
18 road, omnibus, marine or aviation transportation; or any facility used
19 for or in connection with service in the transportation of passengers,
20 airports, train stations, subway and rail stations, and bus terminals;
21 or

22 16. Such person recklessly causes physical injury to another person in
23 any place, conveyance, or vehicle used for public transportation or
24 public transit, including subway cars, train cars, buses, ferries, rail-
25 road, omnibus, marine or aviation transportation; or any facility used
26 for or in connection with service in the transportation of passengers,
27 airports, train stations, subway and rail stations, and bus terminals.

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

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1 § 2. Subdivision 4 of section 120.10 of the penal law, as amended by
2 chapter 791 of the laws of 1967, is amended and a new subdivision 5 is
3 added to read as follows:

4 4. In the course of and in furtherance of the commission or attempted
5 commission of a felony or of immediate flight therefrom, [~~he~~] such
6 person, or another participant if there be any, causes serious physical
7 injury to a person other than one of the participants[~~+~~]; or

8 5. With intent to cause serious physical injury to another person,
9 such person causes such injury to such other person or to a third person
10 in any place, conveyance, or vehicle used for public transportation or
11 public transit, including subway cars, train cars, buses, ferries, rail-
12 road, omnibus, marine or aviation transportation; or any facility used
13 for or in connection with service in the transportation of passengers,
14 airports, train stations, subway and rail stations, and bus terminals.

15 § 3. This act shall take effect on the thirtieth day after it shall
16 have become a law.