

STATE OF NEW YORK

4928

2025-2026 Regular Sessions

IN ASSEMBLY

February 10, 2025

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

AN ACT to amend the penal law, in relation to increasing penalties for assault, obstruction and harassment of election officers

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

1 Section 1. Subdivision 11 of section 120.05 of the penal law, as
2 amended by section 2 of part Z of chapter 55 of the laws of 2024, is
3 amended to read as follows:
4 11. With intent to cause physical injury to a train operator, ticket
5 inspector, conductor, signalperson, bus operator, station agent, station
6 cleaner, terminal cleaner, station customer assistant, traffic checker;
7 person whose official duties include the sale or collection of tickets,
8 passes, vouchers, or other revenue payment media for use on a train,
9 bus, or ferry the collection or handling of revenues therefrom; a person
10 whose official duties include the maintenance, repair, inspection, trou-
11 bleshooting, testing or cleaning of buses or ferries, a transit signal
12 system, elevated or underground subway tracks, transit station struc-
13 ture, including fare equipment, escalators, elevators and other equip-
14 ment necessary to passenger service, commuter rail tracks or stations,
15 train yard, revenue train in passenger service, a ferry station, or a
16 train or bus station or terminal; or a supervisor of such personnel,
17 employed by any transit or commuter rail agency, authority or company,
18 public or private, whose operation is authorized by New York state or
19 any of its political subdivisions, a city marshal, a school crossing
20 guard appointed pursuant to section two hundred eight-a of the general
21 municipal law, a traffic enforcement officer, traffic enforcement agent,
22 prosecutor as defined in subdivision thirty-one of section 1.20 of the
23 criminal procedure law, sanitation enforcement agent, New York city
24 sanitation worker, public health sanitarian, New York city public health
25 sanitarian, registered nurse, licensed practical nurse, emergency

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

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1 medical service paramedic, [~~or~~] emergency medical service technician,
2 [~~he or she~~] or election officer as defined in section 1-104 of the
3 election law, such person causes physical injury to such train operator,
4 ticket inspector, conductor, signalperson, bus operator, station agent,
5 station cleaner, terminal cleaner, station customer assistant, traffic
6 checker; person whose official duties include the sale or collection of
7 tickets, passes, vouchers or other revenue payment media for use on a
8 train, bus, or ferry or the collection or handling of revenues there-
9 from; a person whose official duties include the maintenance, repair,
10 inspection, troubleshooting, testing or cleaning of buses or ferries, a
11 transit signal system, elevated or underground subway tracks, transit
12 station structure, including fare equipment, escalators, elevators and
13 other equipment necessary to passenger service, commuter rail tracks or
14 stations, train yard, revenue train in passenger service, a ferry
15 station, or a train or bus station or terminal; or a supervisor of such
16 personnel, city marshal, school crossing guard appointed pursuant to
17 section two hundred eight-a of the general municipal law, traffic
18 enforcement officer, traffic enforcement agent, prosecutor as defined in
19 subdivision thirty-one of section 1.20 of the criminal procedure law,
20 registered nurse, licensed practical nurse, public health sanitarian,
21 New York city public health sanitarian, sanitation enforcement agent,
22 New York city sanitation worker, emergency medical service paramedic,
23 [~~or~~] emergency medical service technician, or election officer, while
24 such employee is performing an assigned duty on, or directly related to,
25 the operation of a train or bus, cleaning of a train or bus station or
26 terminal, assisting customers, checking traffic, the sale or collection
27 of tickets, passes, vouchers, or other revenue media for use on a train,
28 bus, or ferry or maintenance or cleaning of a train, a bus, a ferry, or
29 bus station or terminal, signal system, elevated or underground subway
30 tracks, transit station structure, including fare equipment, escalators,
31 elevators and other equipment necessary to passenger service, commuter
32 rail tracks or stations, train yard or revenue train in passenger
33 service, a ferry station, or such city marshal, school crossing guard,
34 traffic enforcement officer, traffic enforcement agent, prosecutor as
35 defined in subdivision thirty-one of section 1.20 of the criminal proce-
36 dure law, registered nurse, licensed practical nurse, public health
37 sanitarian, New York city public health sanitarian, sanitation enforce-
38 ment agent, New York city sanitation worker, emergency medical service
39 paramedic, [~~or~~] emergency medical service technician, or election offi-
40 cer is performing an assigned duty; or

41 § 2. Section 195.05 of the penal law, as amended by section 16 of part
42 G of chapter 55 of the laws of 2024, is amended to read as follows:

43 § 195.05 Obstructing governmental administration in the second degree.

44 A person is guilty of obstructing governmental administration when:

45 1. Such person intentionally obstructs, impairs or perverts the admin-
46 istration of law or other governmental function or prevents or attempts
47 to prevent a public servant, including an election officer, from
48 performing an official function, by means of intimidation, physical
49 force or interference, or by means of any independently unlawful act, or
50 by means of interfering, whether or not physical force is involved, with
51 radio, telephone, television or other telecommunications systems owned
52 or operated by the state, or a county, city, town, village, fire
53 district or emergency medical service or by means of releasing a danger-
54 ous animal under circumstances evincing the actor's intent that the
55 animal obstruct governmental administration; or

1 2. With the intent to violate a closing order, order to seal, tempo-
2 rary closing order, or temporary order to seal issued by a governmental
3 entity to address a public health or safety concern, such person damages
4 or removes any padlock or other device installed for the purpose of
5 effectuating such order.

6 Obstructing governmental administration is a class A misdemeanor.

7 § 3. Section 240.30 of the penal law is amended by adding a new subdi-
8 vision 3-b to read as follows:

9 3-b. With the intent to harass, annoy, threaten or alarm an election
10 officer, such person strikes, shoves, kicks, or otherwise subjects
11 another person to physical contact, or attempts or threatens to do the
12 same while such election officer is performing such election officer's
13 official duties; or

14 § 4. This act shall take effect immediately.