

STATE OF NEW YORK

7831

2025-2026 Regular Sessions

IN ASSEMBLY

April 11, 2025

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

AN ACT to amend the penal law, in relation to penalties for assault and
menacing of child protective services workers

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

1 Section 1. The penal law is amended by adding a new section 120.08-a
2 to read as follows:

3 § 120.08-a Assault on a child protective services worker.

4 A person is guilty of assault on a child protective services worker
5 when, with intent to prevent an employee of a local social services
6 district directly involved in investigation of or response to alleged
7 abuse or neglect of a child from performing such investigation or
8 response, the actor causes serious physical injury to such employee
9 including by means of releasing or failing to control an animal under
10 circumstances evincing the actor's intent that the animal obstruct the
11 lawful activities of such employee.

12 Assault on a child protective services worker is a class C felony.

13 § 2. The penal law is amended by adding a new section 120.08-b to read
14 as follows:

15 § 120.08-b Aggravated assault on a child protective services worker.

16 A person is guilty of aggravated assault on a child protective
17 services worker when, with intent to prevent an employee of a local
18 social services district directly involved in investigation of or
19 response to alleged abuse or neglect of a child from performing such
20 investigation or response, the actor causes serious physical injury to
21 such employee by means of a deadly weapon or dangerous instrument.

22 Aggravated assault on a child protective services worker is a class B
23 felony.

24 § 3. The penal law is amended by adding a new section 120.18-a to read
25 as follows:

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

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1 § 120.18-a Menacing a child protective services worker.
2 A person is guilty of menacing a child protective services worker when
3 such person intentionally places or attempts to place an employee of a
4 local social services district directly involved in investigation of or
5 response to alleged abuse or neglect of a child in reasonable fear of
6 physical injury, serious physical injury or death by displaying a deadly
7 weapon, knife, pistol, revolver, rifle, shotgun, machine gun or other
8 firearm, whether operable or not, where such employee was in the course
9 of performing their official duties.
10 Menacing a child protective services worker is a class D felony.
11 § 4. This act shall take effect immediately.