

# STATE OF NEW YORK

1150

2025-2026 Regular Sessions

## IN SENATE

January 8, 2025

Introduced by Sens. OBERACKER, BORRELLO, GALLIVAN, RHOADS -- 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 protecting registered security guards in a hospital or health care facility from assault

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

1 Section 1. Subdivisions 3 and 11 of section 120.05 of the penal law,  
2 subdivision 3 as amended by chapter 267 of the laws of 2016 and subdivi-  
3 sion 11 as amended by section 2 of part Z of chapter 55 of the laws of  
4 2024, are amended to read as follows:

5 3. With intent to prevent a peace officer, a police officer, prosecu-  
6 tor as defined in subdivision thirty-one of section 1.20 of the criminal  
7 procedure law, registered nurse, licensed practical nurse, public health  
8 sanitarian, New York city public health sanitarian, sanitation enforce-  
9 ment agent, New York city sanitation worker, a firefighter, including a  
10 firefighter acting as a paramedic or emergency medical technician admin-  
11 istering first aid in the course of performance of duty as such fire-  
12 fighter, an emergency medical service paramedic or emergency medical  
13 service technician, or medical or related personnel in a hospital emer-  
14 gency department, a registered security guard in a hospital or health  
15 care facility, a city marshal, a school crossing guard appointed pursu-  
16 ant to section two hundred eight-a of the general municipal law, a traf-  
17 fic enforcement officer, traffic enforcement agent or employee of any  
18 entity governed by the public service law in the course of performing an  
19 essential service, from performing a lawful duty, by means including  
20 releasing or failing to control an animal under circumstances evincing  
21 the actor's intent that the animal obstruct the lawful activity of such  
22 peace officer, police officer, prosecutor as defined in subdivision  
23 thirty-one of section 1.20 of the criminal procedure law, registered  
24 nurse, licensed practical nurse, public health sanitarian, New York city

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

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1 public health sanitarian, sanitation enforcement agent, New York city  
2 sanitation worker, firefighter, paramedic, technician, city marshal,  
3 school crossing guard appointed pursuant to section two hundred eight-a  
4 of the general municipal law, traffic enforcement officer, traffic  
5 enforcement agent or employee of an entity governed by the public  
6 service law, [~~he or she~~] such person causes physical injury to such  
7 peace officer, police officer, prosecutor as defined in subdivision  
8 thirty-one of section 1.20 of the criminal procedure law, registered  
9 nurse, licensed practical nurse, public health sanitarian, New York city  
10 public health sanitarian, sanitation enforcement agent, New York city  
11 sanitation worker, firefighter, paramedic, technician or medical or  
12 related personnel in a hospital emergency department, a registered secu-  
13 rity guard in a hospital or health care facility, city marshal, school  
14 crossing guard, traffic enforcement officer, traffic enforcement agent  
15 or employee of an entity governed by the public service law; or

16 11. With intent to cause physical injury to a train operator, ticket  
17 inspector, conductor, signalperson, bus operator, station agent, station  
18 cleaner, terminal cleaner, station customer assistant, traffic checker;  
19 person whose official duties include the sale or collection of tickets,  
20 passes, vouchers, or other revenue payment media for use on a train,  
21 bus, or ferry the collection or handling of revenues therefrom; a person  
22 whose official duties include the maintenance, repair, inspection, trou-  
23 bleshooting, testing or cleaning of buses or ferries, a transit signal  
24 system, elevated or underground subway tracks, transit station struc-  
25 ture, including fare equipment, escalators, elevators and other equip-  
26 ment necessary to passenger service, commuter rail tracks or stations,  
27 train yard, revenue train in passenger service, a ferry station, or a  
28 train or bus station or terminal; or a supervisor of such personnel,  
29 employed by any transit or commuter rail agency, authority or company,  
30 public or private, whose operation is authorized by New York state or  
31 any of its political subdivisions, a city marshal, a school crossing  
32 guard appointed pursuant to section two hundred eight-a of the general  
33 municipal law, a traffic enforcement officer, traffic enforcement agent,  
34 prosecutor as defined in subdivision thirty-one of section 1.20 of the  
35 criminal procedure law, sanitation enforcement agent, New York city  
36 sanitation worker, public health sanitarian, New York city public health  
37 sanitarian, registered nurse, licensed practical nurse, emergency  
38 medical service paramedic, [~~or~~] emergency medical service technician,  
39 [~~he or she~~] or a registered security guard in a hospital or health  
40 care facility, such person causes physical injury to such train opera-  
41 tor, ticket inspector, conductor, signalperson, bus operator, station  
42 agent, station cleaner, terminal cleaner, station customer assistant,  
43 traffic checker; person whose official duties include the sale or  
44 collection of tickets, passes, vouchers or other revenue payment media  
45 for use on a train, bus, or ferry or the collection or handling of  
46 revenues therefrom; a person whose official duties include the mainte-  
47 nance, repair, inspection, troubleshooting, testing or cleaning of buses  
48 or ferries, a transit signal system, elevated or underground subway  
49 tracks, transit station structure, including fare equipment, escalators,  
50 elevators and other equipment necessary to passenger service, commuter  
51 rail tracks or stations, train yard, revenue train in passenger service,  
52 a ferry station, or a train or bus station or terminal; or a supervisor  
53 of such personnel, city marshal, school crossing guard appointed pursu-  
54 ant to section two hundred eight-a of the general municipal law, traffic  
55 enforcement officer, traffic enforcement agent, prosecutor as defined in  
56 subdivision thirty-one of section 1.20 of the criminal procedure law,

1 registered nurse, licensed practical nurse, public health sanitarian,  
2 New York city public health sanitarian, sanitation enforcement agent,  
3 New York city sanitation worker, emergency medical service paramedic,  
4 [~~e~~] emergency medical service technician, or a registered security  
5 guard in a hospital or health care facility, while such employee is  
6 performing an assigned duty on, or directly related to, the operation of  
7 a train or bus, cleaning of a train or bus station or terminal, assist-  
8 ing customers, checking traffic, the sale or collection of tickets,  
9 passes, vouchers, or other revenue media for use on a train, bus, or  
10 ferry or maintenance or cleaning of a train, a bus, a ferry, or bus  
11 station or terminal, signal system, elevated or underground subway  
12 tracks, transit station structure, including fare equipment, escalators,  
13 elevators and other equipment necessary to passenger service, commuter  
14 rail tracks or stations, train yard or revenue train in passenger  
15 service, a ferry station, or such city marshal, school crossing guard,  
16 traffic enforcement officer, traffic enforcement agent, prosecutor as  
17 defined in subdivision thirty-one of section 1.20 of the criminal proce-  
18 dure law, registered nurse, licensed practical nurse, public health  
19 sanitarian, New York city public health sanitarian, sanitation enforce-  
20 ment agent, New York city sanitation worker, emergency medical service  
21 paramedic, or emergency medical service technician is performing an  
22 assigned duty; or

23 § 2. This act shall take effect on the ninetieth day after it shall  
24 have become a law.