

STATE OF NEW YORK

222

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. PALUMBO, BORRELLO, OBERACKER, ORTT, WEIK -- 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 assault on a straphanger

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

1 Section 1. This act shall be known and may be cited as the "straphan-
2 ger protection act".

3 § 2. The penal law is amended by adding a new section 120.80 to read
4 as follows:

5 § 120.80 Assault on a straphanger.

6 A person is guilty of assault on a straphanger when such person
7 strikes, shoves, kicks, or otherwise subjects another person to physical
8 contact that results in such person falling onto subway tracks.

9 Assault on a straphanger is a class C felony.

10 § 3. Paragraph (b) of subdivision 1 of section 70.02 of the penal law,
11 as amended by chapter 94 of the laws of 2020, is amended to read as
12 follows:

13 (b) Class C violent felony offenses: an attempt to commit any of the
14 class B felonies set forth in paragraph (a) of this subdivision; aggra-
15 vated criminally negligent homicide as defined in section 125.11, aggra-
16 vated manslaughter in the second degree as defined in section 125.21,
17 aggravated sexual abuse in the second degree as defined in section
18 130.67, assault on a peace officer, police officer, firefighter or emer-
19 gency medical services professional as defined in section 120.08,
20 assault on a judge as defined in section 120.09, gang assault in the
21 second degree as defined in section 120.06, assault on a straphanger as
22 defined in section 120.80, strangulation in the first degree as defined
23 in section 121.13, aggravated strangulation as defined in section
24 121.13-a, burglary in the second degree as defined in section 140.25,

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

LBD00642-01-5

1 robbery in the second degree as defined in section 160.10, criminal
2 possession of a weapon in the second degree as defined in section
3 265.03, criminal use of a firearm in the second degree as defined in
4 section 265.08, criminal sale of a firearm in the second degree as
5 defined in section 265.12, criminal sale of a firearm with the aid of a
6 minor as defined in section 265.14, aggravated criminal possession of a
7 weapon as defined in section 265.19, soliciting or providing support for
8 an act of terrorism in the first degree as defined in section 490.15,
9 hindering prosecution of terrorism in the second degree as defined in
10 section 490.30, and criminal possession of a chemical weapon or biolog-
11 ical weapon in the third degree as defined in section 490.37.
12 § 4. This act shall take effect immediately.