

STATE OF NEW YORK

5917

2025-2026 Regular Sessions

IN ASSEMBLY

February 24, 2025

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

AN ACT to amend the penal law, in relation to the assault of physicians providing direct patient care

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

1 Section 1. Subdivision 3 of section 120.05 of the penal law, as
2 amended by chapter 267 of the laws of 2016, is amended to read as
3 follows:
4 3. With intent to prevent a peace officer, a police officer, prosecu-
5 tor as defined in subdivision thirty-one of section 1.20 of the criminal
6 procedure law, a physician as defined in article one hundred thirty-one
7 of the education law, registered nurse, licensed practical nurse, public
8 health sanitarian, New York city public health sanitarian, sanitation
9 enforcement agent, New York city sanitation worker, a firefighter,
10 including a firefighter acting as a paramedic or emergency medical tech-
11 nician administering first aid in the course of performance of duty as
12 such firefighter, an emergency medical service paramedic or emergency
13 medical service technician, or medical or related personnel in a hospi-
14 tal emergency department, a city marshal, a school crossing guard
15 appointed pursuant to section two hundred eight-a of the general munic-
16 pal law, a traffic enforcement officer, traffic enforcement agent or
17 employee of any entity governed by the public service law in the course
18 of performing an essential service, from performing a lawful duty, by
19 means including releasing or failing to control an animal under circum-
20 stances evincing the actor's intent that the animal obstruct the lawful
21 activity of such peace officer, police officer, prosecutor as defined in
22 subdivision thirty-one of section 1.20 of the criminal procedure law, a
23 physician as defined in article one hundred thirty-one of the education
24 law, registered nurse, licensed practical nurse, public health sanitari-
25 an, New York city public health sanitarian, sanitation enforcement

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

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

16 § 2. Subdivision 3-c of section 120.05 of the penal law, as added by
17 chapter 423 of the laws of 2015, is amended to read as follows:

18 3-c. With intent to prevent an employee providing direct patient care,
19 who is not a nurse pursuant to title eight of the education law, whose
20 principal employment responsibility is to carry out direct patient care
21 for one or more patients in any hospital, nursing home, residential
22 health care facility, general hospital, government agency including any
23 chronic disease hospital, maternity hospital, outpatient department,
24 emergency center or surgical center under article twenty-eight of the
25 public health law or other setting where direct patient care is
26 provided, from performing a lawful duty, [~~he or she~~] such person causes
27 physical injury to such employee providing direct patient care; or

28 § 3. Subdivision 11-c of section 120.05 of the penal law, as added by
29 chapter 423 of the laws of 2015, is amended to read as follows:

30 11-c. With intent to cause physical injury to an employee providing
31 direct patient care, who is not a nurse pursuant to title eight of the
32 education law, whose principal employment responsibility is to carry out
33 direct patient care for one or more patients in any hospital, nursing
34 home, residential health care facility, general hospital, government
35 agency including any chronic disease hospital, maternity hospital,
36 outpatient department, emergency center or surgical center under article
37 twenty-eight of the public health law or other setting where direct
38 patient care is provided, [~~he or she~~] such person causes physical injury
39 to such employee providing direct patient care while such employee is
40 performing a lawful duty; or

41 § 4. This act shall take effect on the ninetieth day after it shall
42 have become a law.