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:

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

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

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

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

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

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

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

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

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

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

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§ 120.18-a Menacing a child protective services worker.

A person is guilty of menacing a child protective services worker when such person intentionally places or attempts to place an employee of a local social services district directly involved in investigation of or response to alleged abuse or neglect of a child in reasonable fear of physical injury, serious physical injury or death by displaying a deadly weapon, knife, pistol, revolver, rifle, shotgun, machine gun or other firearm, whether operable or not, where such employee was in the course of performing their official duties.

Menacing a child protective services worker is a class D felony.

§ 4. This act shall take effect immediately.