

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.