

STATE OF NEW YORK

2080

2025-2026 Regular Sessions

IN SENATE

January 15, 2025

Introduced by Sens. COONEY, GRIFFO -- 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 assaults on medical
providers and employees and volunteers of hospitals

The People of the State of New York, represented in Senate and Assem-
bly, 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,~~ a physi-
8 cian, a physician assistant, a health care provider, a primary care
9 practitioner or primary care physician, a nurse or nursing professional
10 including a registered nurse, nurse practitioner, certified or licensed
11 nurse practitioner, a certified nursing assistant, or a licensed practi-
12 cal nurse, ambulance personnel, a director of a hospital or a medical
13 director, employee, attendant, agent or volunteer of a hospital as
14 defined in section twenty-eight hundred one of the public health law, a
15 public health sanitarian, New York city public health sanitarian, sani-
16 tation enforcement agent, New York city sanitation worker, a firefight-
17 er, including a firefighter acting as a paramedic or emergency medical
18 technician administering first aid in the course of performance of duty
19 as such firefighter, an emergency medical service paramedic or emergency
20 medical service technician, or medical or related personnel in a hospi-
21 tal emergency department, a city marshal, a school crossing guard
22 appointed pursuant to section two hundred eight-a of the general munici-
23 pal law, a traffic enforcement officer, traffic enforcement agent or
24 employee of any entity governed by the public service law in the course
25 of performing an essential service, from performing a lawful duty, by

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

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1 means including releasing or failing to control an animal under circum-
2 stances evincing the actor's intent that the animal obstruct the lawful
3 activity of such peace officer, police officer, prosecutor as defined in
4 subdivision thirty-one of section 1.20 of the criminal procedure law,
5 [~~registered nurse, licensed practical nurse,~~] physician, physician
6 assistant, health care provider, primary care practitioner or primary
7 care physician, a nurse or nursing professional including a registered
8 nurse, nurse practitioner, certified or licensed nurse practitioner, a
9 certified nursing assistant, or a licensed practical nurse, ambulance
10 personnel, a director of a hospital or a medical director, employee,
11 attendant, agent or volunteer of a hospital as defined in section twenty-
12 eight hundred one of the public health law, a public health sanitari-
13 an, New York city public health sanitarian, sanitation enforcement
14 agent, New York city sanitation worker, firefighter, paramedic, techni-
15 cian, city marshal, school crossing guard appointed pursuant to section
16 two hundred eight-a of the general municipal law, traffic enforcement
17 officer, traffic enforcement agent or employee of an entity governed by
18 the public service law, [~~he or she~~] such person causes physical injury
19 to such peace officer, police officer, prosecutor as defined in subdivi-
20 sion thirty-one of section 1.20 of the criminal procedure law, [~~regis-~~
21 tered nurse, licensed practical nurse,] physician, physician assistant,
22 health care provider, primary care practitioner or primary care physi-
23 cian, a nurse or nursing professional including a registered nurse,
24 nurse practitioner, certified or licensed nurse practitioner, a certi-
25 fied nursing assistant, or a licensed practical nurse, ambulance person-
26 nel, a director of a hospital or a medical director, employee, attend-
27 ant, agent or volunteer of a hospital as defined in section twenty-eight
28 hundred one of the public health law, a public health sanitarian, New
29 York city public health sanitarian, sanitation enforcement agent, New
30 York city sanitation worker, firefighter, paramedic, technician or
31 medical or related personnel in a hospital emergency department, city
32 marshal, school crossing guard, traffic enforcement officer, traffic
33 enforcement agent or employee of an entity governed by the public
34 service law; or

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

1 physician assistant, health care provider, primary care practitioner or
2 primary care physician, a nurse or nursing professional including a
3 registered nurse, nurse practitioner, certified or licensed nurse prac-
4 titioner, a certified nursing assistant, or a licensed practical nurse,
5 ambulance personnel, a director of a hospital or a medical director,
6 employee, attendant, agent or volunteer of a hospital as defined in
7 section twenty-eight hundred one of the public health law, emergency
8 medical service paramedic, or emergency medical service technician, [~~he~~
9 ~~or she~~] such person causes physical injury to such train operator, tick-
10 et inspector, conductor, signalperson, bus operator, station agent,
11 station cleaner, terminal cleaner, station customer assistant, traffic
12 checker; person whose official duties include the sale or collection of
13 tickets, passes, vouchers or other revenue payment media for use on a
14 train, bus, or ferry or the collection or handling of revenues there-
15 from; a person whose official duties include the maintenance, repair,
16 inspection, troubleshooting, testing or cleaning of buses or ferries, a
17 transit signal system, elevated or underground subway tracks, transit
18 station structure, including fare equipment, escalators, elevators and
19 other equipment necessary to passenger service, commuter rail tracks or
20 stations, train yard, revenue train in passenger service, a ferry
21 station, or a train or bus station or terminal; or a supervisor of such
22 personnel, city marshal, school crossing guard appointed pursuant to
23 section two hundred eight-a of the general municipal law, traffic
24 enforcement officer, traffic enforcement agent, prosecutor as defined in
25 subdivision thirty-one of section 1.20 of the criminal procedure law,
26 [~~registered nurse, licensed practical nurse,~~] physician, physician
27 assistant, health care provider, primary care practitioner or primary
28 care physician, a nurse or nursing professional including a registered
29 nurse, nurse practitioner, certified or licensed nurse practitioner, a
30 certified nursing assistant, or a licensed practical nurse, ambulance
31 personnel, a director of a hospital or a medical director, employee,
32 attendant, agent or volunteer of a hospital as defined in section twen-
33 ty-eight hundred one of the public health law, public health sanitarian,
34 New York city public health sanitarian, sanitation enforcement agent,
35 New York city sanitation worker, emergency medical service paramedic, or
36 emergency medical service technician, while such employee is performing
37 an assigned duty on, or directly related to, the operation of a train or
38 bus, cleaning of a train or bus station or terminal, assisting custom-
39 ers, checking traffic, the sale or collection of tickets, passes, vouch-
40 ers, or other revenue media for use on a train, bus, or ferry or mainte-
41 nance or cleaning of a train, a bus, a ferry, or bus station or
42 terminal, signal system, elevated or underground subway tracks, transit
43 station structure, including fare equipment, escalators, elevators and
44 other equipment necessary to passenger service, commuter rail tracks or
45 stations, train yard or revenue train in passenger service, a ferry
46 station, or such city marshal, school crossing guard, traffic enforce-
47 ment officer, traffic enforcement agent, prosecutor as defined in subdivi-
48 sion thirty-one of section 1.20 of the criminal procedure law, [~~regis-~~
49 ~~tered nurse, licensed practical nurse,~~] physician, physician assistant,
50 health care provider, primary care practitioner or primary care physi-
51 cian, a nurse or nursing professional including a registered nurse,
52 nurse practitioner, certified or licensed nurse practitioner, a certi-
53 fied nursing assistant, or a licensed practical nurse, ambulance person-
54 nel, a director of a hospital or a medical director, employee, attend-
55 ant, agent or volunteer of a hospital as defined in section twenty-eight
56 hundred one of the public health law, public health sanitarian, New York

1 city public health sanitarian, sanitation enforcement agent, New York
2 city sanitation worker, emergency medical service paramedic, or emergen-
3 cy medical service technician is performing an assigned duty; or
4 § 2. This act shall take effect on the sixtieth day after it shall
5 have become a law.