

6186

2007-2008 Regular Sessions

IN ASSEMBLY

March 5, 2007

Introduced by M. of A. KOON, PHEFFER, ZEBROWSKI, AUBERTINE,
ENGLEBRIGHT

-- Multi-Sponsored by -- M. of A. ABBATE, COLTON, COOK, D. GORDON,
HOOPER, JOHN, LAVINE, MAGEE, MAYERSOHN, ROBINSON,
SWEENEY, WRIGHT --

read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to assault on certain emer-
gency medical professionals

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 sepa-
2 rately amended by chapters 269 and 287 of the laws of 1998, is amended
3 to read as follows:
4 3. With intent to prevent a peace officer, police officer, REGISTERED
5 NURSE, LICENSED PRACTICAL NURSE, a {fireman} FIREFIGHTER,
including a
6 {fireman} FIREFIGHTER acting as a paramedic or emergency medical techni-
7 cian administering first aid in the course of performance of duty as
8 such {fireman} FIREFIGHTER, an emergency medical service paramedic or
9 emergency medical service technician, or medical or related personnel in
10 a hospital emergency department, from performing a lawful duty, by means
11 including releasing or failing to control an animal under circumstances
12 evincing the actor's intent that the animal obstruct the lawful activity
13 of such peace officer, police officer, {fireman} REGISTERED NURSE,
14 LICENSED PRACTICAL NURSE, FIREFIGHTER, paramedic or technician, he
OR
15 SHE causes physical injury to such peace officer, police officer, {fire-
16 man} REGISTERED NURSE, LICENSED PRACTICAL NURSE,
FIREFIGHTER, paramedic,

17 technician or medical or related personnel in a hospital emergency
18 department; or
19 S 2. Section 120.08 of the penal law, as added by chapter 632 of the
20 laws of 1996, is amended to read as follows:
21 S 120.08 Assault on a peace officer, police officer, {fireman} FIRE-
22 FIGHTER, REGISTERED NURSE, LICENSED PRACTICAL NURSE, or
emer-
23 gency medical services professional.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
{ } is old law to be omitted.

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1 A person is guilty of assault on a peace officer, police officer,
2 {fireman} FIREFIGHTER, REGISTERED NURSE, LICENSED PRACTICAL
NURSE, or
3 emergency medical services professional when, with intent to prevent a
4 peace officer, police officer, a {fireman} FIREFIGHTER, including a
5 {fireman} FIREFIGHTER acting as a paramedic or emergency medical techni-
6 cian administering first aid in the course of performance of duty as
7 such {fireman} FIREFIGHTER, REGISTERED NURSE, LICENSED
PRACTICAL NURSE,
8 or an emergency medical service paramedic or emergency medical service
9 technician, from performing a lawful duty, he OR SHE causes serious
10 physical injury to such peace officer, police officer, {fireman} FIRE-
11 FIGHTER, REGISTERED NURSE, LICENSED PRACTICAL NURSE, paramedic
or tech-
12 nician.
13 Assault on a peace officer, police officer, {fireman} FIREFIGHTER,
14 REGISTERED NURSE, LICENSED PRACTICAL NURSE, or emergency
medical
15 services professional is a class C felony.
16 S 3. This act shall take effect on the first of November next succeed-
17 ing the date on which it shall have become a law.