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Int. No. 510

By Council Members Lancman, Williams and Vallone

A Local Law to amend the administrative code of the City of New York, in relation to criminally negligent infliction of physical injury.

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York is amended by adding a new section 10-172 to read as follows:

§ 10-172. Criminally negligent infliction of physical injury.

a. Definitions. The following definitions are applicable to this section:

1. "Criminal negligence." A person acts with criminal negligence when he or she fails to perceive a substantial and unjustifiable risk that will result in physical injury. The risk must be of such nature and degree that the failure to perceive it constitutes a gross deviation from the standard of care that a reasonable person would observe in the situation.

2. "Physical injury." Physical injury means an impairment of a physical condition or substantial pain.

b. Criminally negligent infliction of physical injury. A person is guilty of criminally negligent infliction of physical injury when, with criminal negligence, he or she causes physical injury to another person.

c. Penalties. Any person who violates subdivision b of this section shall be guilty of a misdemeanor punishable by imprisonment of not more than one year and a fine of not more than two thousand five hundred dollars, or both.

d. Any penalties resulting from a violation of subdivision b of this section shall not limit or preclude any cause of action available to any person or entity injured or aggrieved by such violation.

§ 2. This local law shall take effect 60 days after its enactment into law.

CJG
9/12/14
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