S T A T E O F N E W Y O R K

3237--A

Cal. No. 347

2011-2012 Regular Sessions

I N S E N A T E

February 14, 2011

Introduced by Sens. LAVALLE, ADAMS, ADDABBO, ALESI, AVELLA, BALL, BONACIC, CARLUCCI, DeFRANCISCO, DILAN, DUANE, GIANARIS, GOLDEN, GRIFFO, HASSELL-THOMPSON, KLEIN, KRUEGER, MARCELLINO, MAZIARZ, McDONALD, NOZZOLIO, O'MARA, OPPENHEIMER, PERKINS, ROBACH, ZELDIN -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the agriculture and markets law, in relation to increasing certain penalties for violating the prohibition of animal fighting

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 5 of section 351 of the agriculture and markets law, as added by chapter 308 of the laws of 2008, is amended to read as follows:

5. (a) Any person who engages in the conduct specified in paragraph (b) of this subdivision is guilty of a [violation] CLASS B MISDEMEANOR punishable by IMPRISONMENT FOR A PERIOD NOT TO EXCEED THREE MONTHS, OR BY a fine not to exceed five hundred dollars, OR BY BOTH SUCH FINE AND IMPRISONMENT. Any person who engages in the conduct specified in paragraph (b) of this subdivision after having been convicted within the previous five years of a violation of this subdivision or subdivision four of this section is guilty of a misdemeanor and is punishable by imprisonment for a period not to exceed one year, or by a fine not to [exceeded] EXCEED one thousand dollars, or by both [by] such fine and imprisonment.

(b) The knowing presence as a spectator at any place where an exhibition of animal fighting is being conducted.

S 2. This act shall take effect on the thirtieth day after it shall have become a law and shall only apply to offenses committed on or after such date.

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

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