

6774--A

Cal. No. 457

I N   S E N A T E

March 21, 2012

---

Introduced by Sens. RITCHIE, AVELLA, BONACIC, BRESLIN, DILAN, KRUEGER, STAVISKY -- 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 prohibiting persons from owning, possessing, selling, transferring or manufacturing animal fighting paraphernalia

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

1     Section 1. Section 351 of the agriculture and markets law is amended  
2     by adding a new subdivision 6 to read as follows:  
3     6. (A) ANY PERSON WHO INTENTIONALLY OWNS, POSSESSES, SELLS, TRANSFERS  
4     OR MANUFACTURES ANIMAL FIGHTING PARAPHERNALIA WITH THE INTENT TO ENGAGE  
5     IN OR OTHERWISE PROMOTE OR FACILITATE ANIMAL FIGHTING AS DEFINED IN  
6     SUBDIVISION ONE OF THIS SECTION IS GUILTY OF A CLASS B MISDEMEANOR  
7     PUNISHABLE BY IMPRISONMENT FOR A PERIOD OF UP TO NINETY DAYS, OR BY A  
8     FINE NOT TO EXCEED FIVE HUNDRED DOLLARS, OR BY BOTH SUCH FINE AND IMPRI-  
9     SONMENT. ANY PERSON WHO ENGAGES IN THE CONDUCT SPECIFIED IN THIS SUBDI-  
10    VISION AFTER HAVING BEEN CONVICTED WITHIN THE PREVIOUS FIVE YEARS OF A  
11    VIOLATION OF THIS SUBDIVISION IS GUILTY OF A MISDEMEANOR AND IS PUNISHA-  
12    BLE BY IMPRISONMENT FOR A PERIOD NOT TO EXCEED ONE YEAR, OR BY A FINE  
13    NOT TO EXCEED ONE THOUSAND DOLLARS, OR BY BOTH SUCH FINE AND IMPRISON-  
14    MENT.  
15    (B) FOR PURPOSES OF THIS SECTION, ANIMAL FIGHTING PARAPHERNALIA SHALL  
16    MEAN EQUIPMENT, PRODUCTS, OR MATERIALS OF ANY KIND THAT ARE USED,  
17    INTENDED FOR USE, OR DESIGNED FOR USE IN THE TRAINING, PREPARATION,  
18    CONDITIONING OR FURTHERANCE OF ANIMAL FIGHTING. ANIMAL FIGHTING  
19    PARAPHERNALIA INCLUDES THE FOLLOWING:  
20    (I) A BREAKING STICK, WHICH MEANS A DEVICE DESIGNED FOR INSERTION  
21    BEHIND THE MOLARS OF A DOG FOR THE PURPOSE OF BREAKING THE DOG'S GRIP ON  
22    ANOTHER ANIMAL OR OBJECT;

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

LBD15029-03-2

1 (II) A CAT MILL, WHICH MEANS A DEVICE THAT ROTATES AROUND A CENTRAL  
2 SUPPORT WITH ONE ARM DESIGNED TO SECURE A DOG AND ONE ARM DESIGNED TO  
3 SECURE A CAT, RABBIT, OR OTHER SMALL ANIMAL BEYOND THE GRASP OF THE DOG;  
4 (III) A TREADMILL, WHICH MEANS AN EXERCISE DEVICE CONSISTING OF AN  
5 ENDLESS BELT ON WHICH THE ANIMAL WALKS OR RUNS WITHOUT CHANGING PLACES;  
6 (IV) A SPRINGPOLE, WHICH MEANS A BITING SURFACE ATTACHED TO A STRETCH-  
7 ABLE DEVICE, SUSPENDED AT A HEIGHT SUFFICIENT TO PREVENT A DOG FROM  
8 REACHING THE BITING SURFACE WHILE TOUCHING THE GROUND;  
9 (V) A FIGHTING PIT, WHICH MEANS A WALLED AREA, OR OTHERWISE DEFINED  
10 AREA, DESIGNED TO CONTAIN AN ANIMAL FIGHT;  
11 (VI) ANY OTHER INSTRUMENT COMMONLY USED IN THE FURTHERANCE OF PITTING  
12 AN ANIMAL AGAINST ANOTHER ANIMAL.  
13 S 2. This act shall take effect on the ninetieth day after it shall  
14 have become a law.