

STATE OF NEW YORK

7094

2023-2024 Regular Sessions

IN ASSEMBLY

May 10, 2023

Introduced by M. of A. McDONALD -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to including use of a deadly weapon or dangerous instrument as an aggravated cruelty offense

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 1 of section 353-a of the agriculture and
2 markets law, as added by chapter 118 of the laws of 1999, is amended to
3 read as follows:

4 1. A person is guilty of aggravated cruelty to animals when, with no
5 justifiable purpose, he or she:

6 (a) intentionally kills or intentionally causes serious physical injury
7 to a companion animal with aggravated cruelty; or

8 (b) with intent to kill or cause serious physical injury to a companion
9 animal with aggravated cruelty, causes physical injury to a companion
10 animal by means of a deadly weapon as defined in subdivision twelve
11 of section 10.00 of the penal law, or by means of a dangerous instrument
12 as defined in subdivision thirteen of section 10.00 of the penal law.

13 For purposes of this section, "aggravated cruelty" shall mean conduct
14 which: (i) is intended to cause extreme physical pain; or (ii) is done
15 or carried out in an especially depraved or sadistic manner.

16 § 2. This act shall take effect immediately.

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

LBD11081-01-3