STATE OF NEW YORK

11276

IN ASSEMBLY

May 4, 2026

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

AN ACT to amend the agriculture and markets law, in relation to increasing the penalty of knowingly violating the provisions relating to the appropriate shelter for dogs

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

Section 1. Paragraph (a) of subdivision 2 of section 353-b of the agriculture and markets law, as added by chapter 594 of the laws of 2003, is amended to read as follows:

(a) Any person who owns or has custody or control of a dog that is left outdoors shall provide it with shelter appropriate to its breed, physical condition and the climate. Any person who knowingly violates the provisions of this section shall be guilty of a [~~violation, punishable by a fine of not less than fifty dollars nor more than one hundred dollars for a first offense, and a fine of not less than one hundred dollars nor more than two hundred fifty dollars for a second and subsequent offenses~~] **misdemeanor, punishable by imprisonment for not more than one year, or by a fine not less than five hundred dollars nor more than one thousand dollars, or by both**. Beginning seventy-two hours after a charge of violating this section, each day that a defendant fails to correct the deficiencies in the dog shelter for a dog that [~~he or she~~] **such person** owns or that is in [~~his or her~~] **such person's** custody or control and that is left outdoors, so as to bring it into compliance with the provisions of this section shall constitute a separate offense.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

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