STATE OF NEW YORK

9024

2025-2026 Regular Sessions

IN ASSEMBLY

September 5, 2025

Introduced by M. of A. BLUMENCRANZ -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, the agriculture and markets law, the criminal procedure law, and the real property law, in relation to crimes against animals; to amend the executive law, in relation to establishing the New York state animal abuser registry; to amend the administrative code of the city of New York, the agriculture and markets law and the education law, in relation to making conforming changes; and to repeal section 353-a of the agriculture and markets law relating to aggravated cruelty to animals

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

Section 1. This act shall be known and may be cited as the "New York State Animal Justice Act".

§ 2. Legislative intent. The legislature finds and declares that companion animals are sentient beings who form integral parts of the human family. Current law inadequately punishes or prevents acts of cruelty, torture, or theriocide against animals. The purpose of this act is to provide justice for animals, empower victims, and create the strongest and most comprehensive companion animal protection laws in the United States.

§ 3. The penal law is amended by adding a new article 243 to read as follows:

ARTICLE 243

CRIMES AGAINST ANIMALS

Section 243.00 Recognition of sentient animal life.
243.05 Definitions.
243.10 Cruelty to animals.
243.15 Aggravated cruelty to animals.
243.20 Theriocide.
243.25 Effect.

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

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243.30 Additional considerations, sentencing enhancements and provisions.

§ 243.00 Recognition of sentient animal life.

Companion animals are recognized under New York state law as sentient beings and not merely property.

§ 243.05 Definitions.

For purposes of this article:

1. "companion animal" shall have the same meaning as defined in subdivision five of section three hundred fifty of the agriculture and markets law;

2. "serious physical injury" shall have the same meaning as defined in subdivision twenty-nine of section one hundred eight of the agriculture and markets law; and

3. "theriocide" means the killing of an animal by a human being.

§ 243.10 Cruelty to animals.

A person is guilty of cruelty to animals when with no justifiable purpose, such person:

1. intentionally, recklessly or with criminal negligence causes pain, suffering or injury to any companion animal; or

2. recklessly or with criminal negligence causes the death of any companion animal.

Cruelty to animals is a class A misdemeanor.

§ 243.15 Aggravated cruelty to animals.

A person is guilty of aggravated cruelty to animals when, with no justifiable purpose, such person intentionally kills or intentionally causes serious physical injury to a companion animal with aggravated cruelty. For purposes of this section, "aggravated cruelty" shall mean conduct which:

1. is intended to cause extreme physical pain; or

2. is done or carried out in an especially depraved or sadistic manner.

Aggravated cruelty to animals is a class E felony.

§ 243.20 Theriocide.

A person is guilty of theriocide when, during the commission of a felony, including actions taken in advance of or immediately after the commission of a felony, such person intentionally causes the death of a companion animal.

Theriocide is a class A felony.

§ 243.25 Effect.

1. Conviction of an offense under this article shall not preclude the enforcement of any other provision of law.

2. Nothing contained in this article shall be construed to prohibit or interfere in any way with anyone lawfully engaged in hunting, trapping, or fishing, as provided in article eleven of the environmental conservation law, the dispatch of rabid or diseased animals, as provided in article twenty-one of the public health law, or the dispatch of animals posing a threat to human safety or other animals, where such action is otherwise legally authorized, or any properly conducted scientific tests, experiments, or investigations involving the use of living animals, performed or conducted in laboratories or institutions approved for such purposes by the commissioner of health pursuant to section three hundred fifty-three of the agriculture and markets law.

§ 243.30 Additional considerations, sentencing enhancements and provisions.

1. For purposes of sentencing for a violation or violations of this article:

(a) each act of cruelty or theriocide toward a single animal shall be considered a separate offense and shall be subject to consecutive sentencing; and

(b) a single act of cruelty or theriocide involving separate animals shall be considered to be a separate offense for each act toward each involved animal and shall be subject to consecutive sentencing.

2. A mandatory sentencing enhancement of five years shall be imposed for each animal killed upon conviction under section 243.20 (theriocide) of this article.

3. In determining sentencing, securing orders, plea deals, or parole conditions in cases involving animal cruelty or theriocide, the court shall consider the loss of sentient animal life as a factor.

§ 4. Section 353 of the agriculture and markets law is amended by adding a new closing paragraph to read as follows:

The provisions of this section shall not apply to a companion animal as contemplated by article two hundred forty-three of the penal law.

§ 5. Section 353-a of the agriculture and markets law is REPEALED.

§ 6. Section 380.50 of the criminal procedure law is amended by adding a new subdivision 7 to read as follows:

7. In any sentencing proceeding for a conviction of a crime under article two hundred forty-three of the penal law, a court shall permit the owner (or owners), foster care provider or caregiver of the animal that was the subject of the offense, to make a statement regarding the effect of the harm to the subject animal, or to persons or other animals, as a result of the injury to or death of the subject animal.

§ 7. The real property law is amended by adding a new section 235-k to read as follows:

§ 235-k. Tenant animal safety disclosure and registry check. 1. Prior to entering into a residential lease, a landlord or such landlord's designated agent shall:

(a) check the prospective tenant against the New York state animal abuser registry established under title one of article thirty-five of the executive law; and

(b) disclose in writing to other tenants or residents if a registered animal abuser is residing or will reside in the building.

2. Any person who violates the provisions of this section shall be liable in civil penalties not to exceed five thousand dollars for each such violation.

§ 8. Article 35 of the executive law is amended by adding a new title 1 to read as follows:

TITLE 1

NEW YORK STATE ANIMAL ABUSER REGISTRY

Section 846-aa. Definitions.
846-bb. Creation of animal abuser registry.
846-cc. Duty to register and to verify.
846-dd. Coordination with other registries.
846-ee. Prohibition on contact with animals.
846-ff. Prohibition of transfers of animals to animal abusers.
846-gg. Rules.
846-hh. Penalties.
846-ii. Applicability.

§ 846-aa. Definitions. For the purposes of this title, the following terms shall have the following meanings:

1. "Animal abuse crime" shall mean a violation of the following:

(a) section three hundred fifty-one (animal fighting), three hundred fifty-three (overdriving, torturing or injuring animals; failure to

provide proper sustenance), three hundred fifty-three-c (electrocution of fur-bearing animals), three hundred fifty-five (abandonment of animals), three hundred fifty-six (failure to provide proper food and drink to an impounded animal), three hundred sixty (poisoning or attempting to poison animals), or three hundred sixty-one (interference with or injury to certain domestic animals) of the agriculture and markets law;

(b) section three hundred fifty-three-a (aggravated cruelty) of the agriculture and markets law;

(c) section 242.15 of the penal law (harming a service animal in the first degree);

(d) an offense described in article two hundred forty-three of the penal law; or

(e) an offense in any other jurisdiction which includes all of the essential elements of any offense provided for in paragraph (a), (b), (c) or (d) of this subdivision.

2. "Animal shelter" shall mean a public or not-for-profit entity owning, operating, or otherwise maintaining a building, structure, or facility where temporary or permanent housing and care is provided to stray, abandoned, abused, seized, impounded, owner-surrendered or otherwise unwanted animals regardless of whether or not such facility also serves as a personal residence. This includes but is not limited to: facilities owned, operated, or maintained by a duly incorporated society for the prevention of cruelty to animals, a duly incorporated humane society dog or cat protective association, or pound; any person in the employ of, or organization operated by or under contract to a municipality to provide care for seized or impounded animals; or any other not-for-profit organization involved in the protection, care, or rehoming of animals. The term "animal shelter" shall not include the personal residence of any foster care provider; a facility commonly known as a boarding kennel, where the ownership of the animal is not transferred; any entity licensed as a pet dealer; any duly incorporated animal hospital owned, operated or supervised by a duly licensed veterinarian; or any facility where the owner or operator is licensed by the New York state department of environmental conservation as a nuisance wildlife control agent or wildlife rehabilitator.

3. "Animal rescue group" means a duly incorporated not-for-profit organization that accepts homeless, lost, stray, abandoned, seized, surrendered or unwanted animals from an animal shelter or other place and attempts to find homes for, and promote adoption of, such animals by the general public.

4. "Authorized entity" shall mean any of the following: a humane society duly incorporated in the state of New York, a society for the prevention of cruelty to animals duly incorporated in the state of New York, a dog or cat protective association duly incorporated in the state of New York, an animal control officer, a pet dealer, a veterinarian, an animal rescue, or an animal shelter operating in the city of New York.

5. "Convicted of" shall mean an adjudication of guilt by any court of competent jurisdiction, whether upon a verdict or plea of guilty or nolo contendere.

6. "Pet dealer" shall have the same meaning as defined in section four hundred of the agriculture and markets law.

7. "Registrant" shall mean a person required to register with the division pursuant to this title.

8. "Registry" shall mean the animal abuser registry created pursuant to section eight hundred forty-six-bb of this title.

§ 846-bb. Creation of animal abuser registry. 1. The division shall create, manage and maintain an electronic registry of individuals living in the state who have been convicted of an animal abuse crime and who have registered with the division pursuant to this title.

2. The information maintained in the registry created pursuant to this section shall only be made available to law enforcement agencies, district attorneys or when otherwise required by law, and shall otherwise be kept confidential; provided, however, that the division shall grant authorized entities the password-protected ability to electronically query the registry using a person's name, driver's license or non-driver photo ID card number, or other identifying information determined by the commissioner, and to receive in response to such query electronic notice of whether such person is prohibited from owning an animal under section eight hundred forty-six-ee of this title.

§ 846-cc. Duty to register and to verify. 1. Any person eighteen years of age or older who resides in the state and has been convicted of an animal abuse crime on or after the effective date of this title shall: (a) at least ten calendar days prior to discharge, parole, release to post-release supervision or release from any state or local correctional facility, hospital or institution where the person was confined or committed, or, (b) within five days of the time sentence is imposed for the person released on probation or discharged upon payment of a fine, conditional discharge or unconditional discharge, register with the division on a form prepared by the division; provided, however, no person shall be required to appear before the division to register pending resolution of an appeal of such conviction.

2. Any person eighteen years of age or older who was convicted of an animal abuse crime in another state, country or territory on or after the effective date of this title who subsequently establishes residency in the state shall, within five days of establishing such residency, personally appear before the division at a location determined by the commissioner to register.

3. The division shall photograph the registrant at the time of registration and shall collect and record the information specified in subdivision four of this section.

4. At the time of registration, any person required to register pursuant to this title shall submit to the division the following:

(a) the registrant's name, all aliases used, date of birth, sex, complexion, race or ethnicity, height, weight, eye color, number of any driver's license or non-driver photo ID card, home address and/or expected place of residence;

(b) a description of the offense for which the registrant was convicted, the date of conviction and the sentence imposed; and

(c) any other documentation as the commissioner deems acceptable to verify the information provided by the registrant.

5. Within twenty days of each one-year anniversary of the registrant's initial registration date for so long as such registrant remains on the registry pursuant to subdivision seven of this section, such registrant shall personally appear at a location designated by the commissioner. At such appearance the division shall photograph the registrant and verify the continuing accuracy of the information provided by the registrant pursuant to subdivision three of this section.

6. Within five days of any change in any of the information provided by a registrant pursuant to subdivision three of this section, such registrant shall personally appear before the division to submit updated information for the registry.

7. Each registrant shall remain on the animal abuser registry for ten years following the registrant's release from incarceration or the date sentencing was rendered, whichever is later, provided, however, that registrants who are convicted of any subsequent animal abuse crime shall remain on the animal abuser registry for ten years following the date of their most recent conviction.

§ 846-dd. Coordination with other registries. Any local animal abuser registry operating within the state shall forward information related to animal abusers in its registry to the animal abuser registry created pursuant to section eight hundred forty-six-bb of this title within thirty days of the effective date of this title and shall update such information quarterly thereafter. Such information shall include all information required to be disclosed by registrants pursuant to subdivision four of section eight hundred forty-six-cc of this title to the extent that such information is available to the local animal abuser registry.

§ 846-ee. Prohibition on contact with animals. A person who is registered or required to register pursuant to section eight hundred forty-six-cc of this title or who is registered with a local animal abuser registry shall not own, possess, reside with, have custody of, or intentionally engage in any physical contact with any animal.

§ 846-ff. Prohibition of transfers of animals to animal abusers. 1. Prior to the exchange or transfer of ownership of any animal in the care of an authorized entity operating in the state, an employee or volunteer of such entity shall consult the animal abuser registry established by this title to determine whether the person seeking ownership of such animal is listed on the animal abuser registry.

2. No entity required to consult the animal abuser registry shall exchange or transfer the ownership of any animal to any person listed on the animal abuser registry.

3. A pet dealer that allows an animal shelter or animal rescue group to use such pet dealer's premises for the purpose of making animals available for adoption shall be exempt from the requirements of subdivisions one and two of this section with respect to such animals, provided such pet dealer does not have an ownership interest in any of the animals that are made available for adoption.

§ 846-gg. Rules. The commissioner may promulgate rules necessary for the implementation of this title.

§ 846-hh. Penalties. Any person found in violation of section eight hundred forty-six-cc or eight hundred forty-six-ee of this title or any rules promulgated thereunder shall be guilty of a misdemeanor punishable by incarceration for not more than one year or a fine of up to one thousand dollars, or both.

§ 846-ii. Applicability. This law shall apply to all persons convicted of an animal abuse crime on or after the effective date of this title.

§ 9. Paragraphs 3, 9 and 10 of subdivision a of section 17-1601 of the administrative code of the city of New York, as added by local law number 4 of the city of New York for the year 2014, are amended to read as follows:

3. aggravated cruelty to animals, as defined in former section three hundred fifty-three-a of the agriculture and markets law;

9. harming a service animal in the first degree, as defined in section 242.15 of the penal [~~code~~] law; [~~or~~]

10. an offense described in article two hundred forty-three of the penal law; or

11. an offense in any other jurisdiction which includes all of the essential elements of any such crime provided for in paragraph one, two, three, four, five, six, seven, eight, [~~or~~] nine**, or ten** of this subdivision.

§ 10. Paragraph a of subdivision 8 of section 374 of the agriculture and markets law, as amended by chapter 594 of the laws of 2003 and renumbered by chapter 479 of the laws of 2009, is amended to read as follows:

a. In addition to any other penalty provided by law, upon conviction for any violation of section three hundred fifty-one, three hundred fifty-three, [~~three hundred fifty-three-a,~~] three hundred fifty-three-b, three hundred fifty-five, three hundred fifty-six, three hundred fifty-nine, three hundred sixty, three hundred sixty-one, three hundred sixty-five or three hundred sixty-eight **or former section three hundred fifty-three-a** of this article **or of an offense described in article two hundred forty-three of the penal law**, the convicted person may, after a duly held hearing pursuant to paragraph f of this subdivision, be ordered by the court to forfeit, to a duly incorporated society for the prevention of cruelty to animals or a duly incorporated humane society or authorized agents thereof, the animal or animals which are the basis of the conviction. Upon such an order of forfeiture, the convicted person shall be deemed to have relinquished all rights to the animals which are the basis of the conviction, except those granted in paragraph d of this subdivision.

§ 11. Paragraph (a) of subdivision 2 of section 6714 of the education law, as amended by chapter 546 of the laws of 2021, is amended to read as follows:

(a) When a veterinarian reasonably and in good faith suspects that a companion animal's injury, illness or condition is the result of animal cruelty in violation of section three hundred fifty-one[~~,~~] **or** three hundred fifty-three **of the agriculture and markets law or of an offense described in article two hundred forty-three of the penal law** or **of former section** three hundred fifty-three-a of the agriculture and markets law, the veterinarian shall report the incident and disclose records concerning the companion animal's condition and treatment to any officer or agent authorized pursuant to sections three hundred seventy-one and three hundred seventy-three of the agriculture and markets law to respond to and investigate complaints of animal cruelty. The identity of such veterinarian making a report pursuant to this paragraph shall only be made available to an officer or agent authorized pursuant to section three hundred seventy-one or three hundred seventy-three of the agriculture and markets law.

§ 12. Severability. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 13. This act shall take effect on the first of January next succeeding the date upon which it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.