

1403

2009-2010 Regular Sessions

I N   S E N A T E

January 29, 2009

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Introduced by Sens. MAZIARZ, DeFRANCISCO, FLANAGAN, FUSCHILLO, GOLDEN, LARKIN, LITTLE, MORAHAN, SALAND, SEWARD, VOLKER, WINNER -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to killing or injuring a police animal

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

1     Section 1. Section 195.06 of the penal law, as added by chapter 42 of  
2 the laws of 1986, is amended to read as follows:  
3     S 195.06 Killing or injuring a police animal.  
4     A person is guilty of killing or injuring a police animal when such  
5 person intentionally kills or injures [any] AN animal:  
6     1. while such animal is in the performance of its duties and under the  
7 supervision of a police or peace officer[.]; OR  
8     2. WHEN SUCH ANIMAL CAN BE REASONABLY IDENTIFIED AS A POLICE ANIMAL BY  
9 MEANS OF ITS PRESENCE IN A MARKED POLICE OR EMERGENCY VEHICLE OR ENCLO-  
10 SURE IN A MARKED AND FENCED OR OTHER ENCLOSED AREA.  
11     Killing or injuring a police animal is a class [A misdemeanor] D Felo-  
12 NY.  
13     S 2. This act shall take effect on the first of November next succeed-  
14 ing the date on which 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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