S T A T E O F N E W Y O R K

1403

2009-2010 Regular Sessions

I N S E N A T E

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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:

Section 1. Section 195.06 of the penal law, as added by chapter 42 of the laws of 1986, is amended to read as follows:

S 195.06 Killing or injuring a police animal.

A person is guilty of killing or injuring a police animal when such person intentionally kills or injures [any] AN animal:

1. while such animal is in the performance of its duties and under the supervision of a police or peace officer[.]; OR

2. WHEN SUCH ANIMAL CAN BE REASONABLY IDENTIFIED AS A POLICE ANIMAL BY MEANS OF ITS PRESENCE IN A MARKED POLICE OR EMERGENCY VEHICLE OR ENCLOSURE IN A MARKED AND FENCED OR OTHER ENCLOSED AREA.

Killing or injuring a police animal is a class [A misdemeanor] D FELONY.

S 2. This act shall take effect on the first of November next succeeding 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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