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

5245

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. ALESI -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to animals at large

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

Section 1. The agriculture and markets law is amended by adding a new section 380 to read as follows:

S 380. ANIMALS AT LARGE. IT SHALL BE UNLAWFUL FOR ANY ANIMAL OWNER, EITHER WILLFULLY OR THROUGH FAILURE TO EXERCISE DUE CARE AND CONTROL, TO ALLOW HIS OR HER ANIMAL OR ANIMALS TO RUN AT LARGE UPON PUBLIC PROPERTY, UNLESS SUCH PUBLIC PROPERTY EXPRESSLY AUTHORIZES SUCH ACTION, OR UPON PRIVATE PROPERTY OF OTHERS, INCLUDING, BUT NOT LIMITED TO, COMMON AREAS OF CONDOMINIUMS, CLUSTER HOMES, PLANNED UNIT DEVELOPMENTS AND COMMUNITY ASSOCIATIONS WITHOUT THE CONSENT OF ALL OWNERS THEREOF, UNLESS SUCH PRIVATE PROPERTY OWNERS AUTHORIZE SUCH ACTION BY EXPRESS OR IMPLIED CONSENT.

S 2. This act shall take effect on the one hundred twentieth 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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