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

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2011-2012 Regular Sessions

I N A S S E M B L Y

January 12, 2011

Introduced by M. of A. ROSENTHAL, LAVINE, McENENY, LATIMER, MILLMAN, BENEDETTO, SCHIMEL, MAISEL, BOYLE, CASTRO, PHEFFER, WEISENBERG, DINOWITZ, KAVANAGH, ENGLEBRIGHT -- Multi-Sponsored by -- M. of A. BING, COLTON, GLICK, GOTTFRIED, HEVESI, JEFFRIES, LIFTON, V. LOPEZ, MAYERSOHN, MENG, PAULIN, ROBINSON, SALADINO, SWEENEY, THIELE, TITONE -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to prohibiting tail docking of cattle

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

Section 1. The section heading and subdivision 1 of section 368 of the agriculture and markets law, as added by chapter 1047 of the laws of 1965, are amended to read as follows:

Operating upon tails of horses AND CATTLE unlawful. 1. Any person who cuts the bone, tissues, muscles or tendons of the tail of any horse, mare [or], gelding[,] OR CATTLE, or otherwise operates upon it in any manner for the purpose or with the effect of docking, setting, or otherwise altering the natural carriage of the tail, or who knowingly permits the same to be done upon premises of which he is the owner, lessee, proprietor or user, or who assists in or is voluntarily present at such cutting, is guilty of a misdemeanor, punishable by imprisonment for not more than one year, or by a fine of not more than five hundred dollars or by both. If a horse OR A COW is found with the bone, tissues, muscles or tendons of its tail cut as aforesaid and with the wound resulting therefrom unhealed, upon the premises or in the charge and custody of any person, such fact shall be prima facie evidence of a violation of this section by the owner or user of such premises or the person having such charge or custody, respectively.

S 2. This act shall take effect immediately.

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

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