

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

9552--A

I N A S S E M B L Y

March 13, 2012

Introduced by M. of A. McENENY, P. RIVERA, WEPRIN, SALADINO, MONTESANO, BRINDISI, ROSENTHAL, BROOK-KRASNY, ENGLEBRIGHT, PAULIN, COLTON, GALEF -- Multi-Sponsored by -- M. of A. BRAUNSTEIN, BRENNAN, CASTELLI, GLICK, GOTTFRIED, HEVESI, KATZ, LUPARDO, MALLIOTAKIS, MARKEY, J. MILLER, MILLMAN, O'DONNELL, REILLY, SCHIMEL, SKARTADOS, SWEENEY, TEDISCO -- read once and referred to the Committee on Agriculture -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law, in relation to prohibiting persons from owning, possessing, selling, transferring or manufacturing animal fighting paraphernalia

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

1 Section 1. Section 351 of the agriculture and markets law is amended
2 by adding a new subdivision 6 to read as follows:
3 6. (A) ANY PERSON WHO INTENTIONALLY OWNS, POSSESSES, SELLS, TRANSFERS
4 OR MANUFACTURES ANIMAL FIGHTING PARAPHERNALIA WITH THE INTENT TO ENGAGE
5 IN OR OTHERWISE PROMOTE OR FACILITATE ANIMAL FIGHTING AS DEFINED IN
6 SUBDIVISION ONE OF THIS SECTION IS GUILTY OF A CLASS B MISDEMEANOR
7 PUNISHABLE BY IMPRISONMENT FOR A PERIOD OF UP TO NINETY DAYS, OR BY A
8 FINE NOT TO EXCEED FIVE HUNDRED DOLLARS, OR BY BOTH SUCH FINE AND IMPRI-
9 SONMENT. ANY PERSON WHO ENGAGES IN THE CONDUCT SPECIFIED IN THIS SUBDI-
10 VISION AFTER HAVING BEEN CONVICTED WITHIN THE PREVIOUS FIVE YEARS OF A
11 VIOLATION OF THIS SUBDIVISION IS GUILTY OF A MISDEMEANOR AND IS PUNISHA-
12 BLE BY IMPRISONMENT FOR A PERIOD NOT TO EXCEED ONE YEAR, OR BY A FINE
13 NOT TO EXCEED ONE THOUSAND DOLLARS, OR BY BOTH SUCH FINE AND IMPRISON-
14 MENT.
15 (B) FOR PURPOSES OF THIS SECTION, ANIMAL FIGHTING PARAPHERNALIA SHALL
16 MEAN EQUIPMENT, PRODUCTS, OR MATERIALS OF ANY KIND THAT ARE USED,
17 INTENDED FOR USE, OR DESIGNED FOR USE IN THE TRAINING, PREPARATION,
18 CONDITIONING OR FURTHERANCE OF ANIMAL FIGHTING. ANIMAL FIGHTING
19 PARAPHERNALIA INCLUDES THE FOLLOWING:

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

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1 (I) A BREAKING STICK, WHICH MEANS A DEVICE DESIGNED FOR INSERTION
2 BEHIND THE MOLARS OF A DOG FOR THE PURPOSE OF BREAKING THE DOG'S GRIP ON
3 ANOTHER ANIMAL OR OBJECT;
4 (II) A CAT MILL, WHICH MEANS A DEVICE THAT ROTATES AROUND A CENTRAL
5 SUPPORT WITH ONE ARM DESIGNED TO SECURE A DOG AND ONE ARM DESIGNED TO
6 SECURE A CAT, RABBIT, OR OTHER SMALL ANIMAL BEYOND THE GRASP OF THE DOG;
7 (III) A TREADMILL, WHICH MEANS AN EXERCISE DEVICE CONSISTING OF AN
8 ENDLESS BELT ON WHICH THE ANIMAL WALKS OR RUNS WITHOUT CHANGING PLACES;
9 (IV) A SPRINGPOLE, WHICH MEANS A BITING SURFACE ATTACHED TO A STRETCH-
10 ABLE DEVICE, SUSPENDED AT A HEIGHT SUFFICIENT TO PREVENT A DOG FROM
11 REACHING THE BITING SURFACE WHILE TOUCHING THE GROUND;
12 (V) A FIGHTING PIT, WHICH MEANS A WALLED AREA, OR OTHERWISE DEFINED
13 AREA, DESIGNED TO CONTAIN AN ANIMAL FIGHT;
14 (VI) ANY OTHER INSTRUMENT COMMONLY USED IN THE FURTHERANCE OF PITTING
15 AN ANIMAL AGAINST ANOTHER ANIMAL.
16 S 2. This act shall take effect on the ninetieth day after it shall
17 have become a law.