

5083

2011-2012 Regular Sessions

I N S E N A T E

May 3, 2011

Introduced by Sen. BALL -- 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 expand-
ing the definition of aggravated cruelty to animals to include harm to
animals during the commission of a felony

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

1 Section 1. Subdivision 1 of section 353-a of the agriculture and
2 markets law, as added by chapter 118 of the laws of 1999, is amended to
3 read as follows:
4 1. A person is guilty of aggravated cruelty to animals when[,]: EITHER
5 (A) with no justifiable purpose, he or she intentionally kills or
6 intentionally causes serious physical injury to a companion animal with
7 aggravated cruelty[.]; OR
8 (B) IN THE COURSE OF COMMISSION OF A FELONY, OR OF IMMEDIATE FLIGHT
9 THEREFROM, HE OR SHE CAUSES PHYSICAL INJURY OR DEATH TO A COMPANION
10 ANIMAL.
11 For purposes of this section, "aggravated cruelty" shall mean conduct
12 which: (i) is intended to cause extreme physical pain; or (ii) is done
13 or carried out in an especially depraved or sadistic manner.
14 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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