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

3686

2011-2012 Regular Sessions

I N A S S E M B L Y

January 26, 2011

Introduced by M. of A. GLICK, PHEFFER, COLTON, McDONOUGH, DINOWITZ -- Multi-Sponsored by -- M. of A. FARRELL, GALEF, GOTTFRIED, LUPARDO, McENENY, PEOPLES-STOKES -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to including the theft of dogs and cats within the crime of grand larceny in the fourth degree in certain cases

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

Section 1. Section 155.00 of the penal law is amended by adding a new subdivision 10 to read as follows:

10. "PET" MEANS A DOG OR A CAT WHICH IS HARBORED BY THE OWNER OR LAWFUL CUSTODIAN OF SUCH DOG OR CAT IN A DWELLING OR WITHIN AN ENCLOSURE OR YARD WHICH IS CONTAINED WITHIN THE REAL PROPERTY BOUNDARY LINE OF SUCH DWELLING. FOR PURPOSES OF THIS SUBDIVISION, "HARBOR" MEANS TO PROVIDE FOOD AND SHELTER TO A DOG OR CAT.

S 2. Section 155.30 of the penal law is amended by adding a new subdivision 8-a to read as follows:

8-A. THE PROPERTY, REGARDLESS OF ITS VALUE, CONSISTS OF A PET WHICH IS TAKEN FROM THE PERSON OF THE OWNER OR OF THE LAWFUL CUSTODIAN OF SUCH PET, FROM THE DWELLING OF THE OWNER OR LAWFUL CUSTODIAN OF SUCH PET, OR FROM ANY ENCLOSURE OR YARD CONTAINED WITHIN THE REAL PROPERTY BOUNDARY LINE OF SUCH DWELLING.

S 3. 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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