

9552

I N   A S S E M B L Y

March 13, 2012

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Introduced by M. of A. McENENY -- read once and referred to the Committee on Agriculture

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 COMMIT  
5 A VIOLATION OF SUBDIVISION TWO OF THIS SECTION OR WITH THE INTENT TO  
6 OTHERWISE PROMOTE OR FACILITATE ANIMAL FIGHTING AS DEFINED IN SUBDIVI-  
7 SION ONE OF THIS SECTION IS GUILTY OF A CLASS B MISDEMEANOR PUNISHABLE  
8 BY IMPRISONMENT FOR A PERIOD OF UP TO NINETY DAYS, OR BY A FINE NOT TO  
9 EXCEED FIVE HUNDRED DOLLARS, OR BY BOTH SUCH FINE AND IMPRISONMENT. ANY  
10 PERSON WHO ENGAGES IN THE CONDUCT SPECIFIED IN THIS SUBDIVISION AFTER  
11 HAVING BEEN CONVICTED WITHIN THE PREVIOUS FIVE YEARS OF A VIOLATION OF  
12 THIS SUBDIVISION IS GUILTY OF A MISDEMEANOR AND IS PUNISHABLE BY IMPRI-  
13 SONMENT FOR A PERIOD NOT TO EXCEED ONE YEAR, OR BY A FINE NOT TO EXCEED  
14 ONE THOUSAND DOLLARS, OR BY BOTH SUCH FINE AND IMPRISONMENT.

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:

20     (I) A BREAKING STICK, WHICH MEANS A DEVICE DESIGNED FOR INSERTION  
21 BEHIND THE MOLARS OF A DOG FOR THE PURPOSE OF BREAKING THE DOG'S GRIP ON  
22 ANOTHER ANIMAL OR OBJECT;

23     (II) A CAT MILL, WHICH MEANS A DEVICE THAT ROTATES AROUND A CENTRAL  
24 SUPPORT WITH ONE ARM DESIGNED TO SECURE A DOG AND ONE ARM DESIGNED TO  
25 SECURE A CAT, RABBIT, OR OTHER SMALL ANIMAL BEYOND THE GRASP OF THE DOG;

26     (III) A TREADMILL, WHICH MEANS AN EXERCISE DEVICE CONSISTING OF AN  
27 ENDLESS BELT ON WHICH THE ANIMAL WALKS OR RUNS WITHOUT CHANGING PLACES;

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

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1 (IV) A SPRINGPOLE, WHICH MEANS A BITING SURFACE ATTACHED TO A STRETCH-  
2 ABLE DEVICE, SUSPENDED AT A HEIGHT SUFFICIENT TO PREVENT A DOG FROM  
3 REACHING THE BITING SURFACE WHILE TOUCHING THE GROUND;

4 (V) A FIGHTING PIT, WHICH MEANS A WALLED AREA, OR OTHERWISE DEFINED  
5 AREA, DESIGNED TO CONTAIN AN ANIMAL FIGHT;

6 (VI) ANY OTHER INSTRUMENT COMMONLY USED IN THE FURTHERANCE OF PITTING  
7 AN ANIMAL AGAINST ANOTHER ANIMAL.

8 S 2. This act shall take effect immediately.