

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.

LBD02012-01-1