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

8185--B

2013-2014 Regular Sessions

I N A S S E M B L Y

October 4, 2013

Introduced by M. of A. OTIS -- read once and referred to the Committee on Agriculture -- recommitted to the Committee on Agriculture in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- reported and referred to the Committee on Rules -- 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 penalties for stealing of companion animals

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

Section 1. Section 366 of the agriculture and markets law, as amended by chapter 176 of the laws of 1970, subdivision 1 as amended by chapter 878 of the laws of 1984, and subdivision 2 as amended by chapter 220 of the laws of 1978, is amended to read as follows:

S 366. [Dog] COMPANION ANIMAL stealing. It shall be unlawful for any person:

1. To remove or cause to be removed the collar, identification tag or any other identification by which the owner may be ascertained from any dog, cat or any other [domestic] COMPANION animal as defined in subdivision [seven] FIVE of section [one hundred eight] THREE HUNDRED FIFTY of this chapter, or to entice any identified dog, cat or other such [domestic] COMPANION animal into or out of any house or enclosure for the purpose of removing its collar, tag or any other identification, except with the owner's permission;

2. To entice, seize or molest any [dog] COMPANION ANIMAL, while it is being held or led by any person or while it is properly muzzled or wearing a collar with an identification tag attached, except where such action is incidental to the enforcement of some law or regulation;

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

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3. To transport any [dog] COMPANION ANIMAL, not lawfully in his possession, for the purpose of killing or selling such [dog] COMPANION ANIMAL.

Any person violating any of the provisions of this section, upon conviction thereof, shall be punished by a fine not exceeding [two hundred] ONE THOUSAND dollars, or by imprisonment not to exceed six months, or by both.

S 2. This act shall take effect immediately.