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

3661

2015-2016 Regular Sessions

I N A S S E M B L Y

January 27, 2015

Introduced by M. of A. TENNEY, RA, KEARNS, TITONE, McDONOUGH, GRAF, COLTON, CORWIN, BROOK-KRASNY -- Multi-Sponsored by -- M. of A. CERETTO, DiPIETRO, GIGLIO, MAGEE, McKEVITT, SIMANOWITZ, THIELE -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to aggravated neglect of a companion animal

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

Section 1. The agriculture and markets law is amended by adding a new section 355-a to read as follows:

S 355-A. AGGRAVATED NEGLECT. 1. AN OWNER SHALL BE LIABLE FOR AGGRAVATED NEGLECT WHEN A COMPANION ANIMAL IS SUBJECTED TO CRUELTY, AS DEFINED IN SECTION THREE HUNDRED FIFTY OF THIS ARTICLE, AND THE OWNER HAS NOT TAKEN REASONABLE STEPS TO LOCATE THE ANIMAL OR PROVIDE ADEQUATE CARE. FOR THE PURPOSES OF THIS SECTION THE TERM ABANDONMENT SHALL HAVE THE SAME MEANING AS SUPPLIED IN SECTION THREE HUNDRED FIFTY-FIVE OF THIS ARTICLE PROVIDED, HOWEVER THAT THE FINE AND SENTENCING GUIDELINES SHALL BE AS PROSCRIBED HEREIN.

2. AGGRAVATED NEGLECT OF COMPANION ANIMALS IS A FELONY. A DEFENDANT CONVICTED OF THIS OFFENSE SHALL BE SENTENCED PURSUANT TO PARAGRAPH (B) OF SUBDIVISION ONE OF SECTION 55.10 OF THE PENAL LAW PROVIDED, HOWEVER, THAT ANY TERM OF IMPRISONMENT IMPOSED FOR VIOLATION OF THIS SECTION SHALL BE A DEFINITE SENTENCE, WHICH MAY NOT EXCEED TWO YEARS.

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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