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

3035

2015-2016 Regular Sessions

I N S E N A T E

February 2, 2015

Introduced by Sen. MARTINS -- 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 the possession of a fighting animal and being a spectator at an exhibition of animal fighting

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

Section 1. Paragraph (a) of subdivision 3 of section 351 of the agriculture and markets law, as added by chapter 150 of the laws of 1984, is amended to read as follows:

(a) Any person who engages in conduct specified in paragraph (b) of this subdivision is guilty of a [misdemeanor and is] FELONY punishable by A DETERMINATE TERM OF imprisonment [for a period not to exceed one year] OF NOT LESS THAN THREE YEARS NOR MORE THAN FIVE YEARS, or by a fine not to exceed fifteen thousand dollars, or by both such fine and imprisonment.

S 2. Paragraph (a) of subdivision 5 of section 351 of the agriculture and markets law, as amended by chapter 332 of the laws of 2011, is amended to read as follows:

(a) Any person who engages in the conduct specified in paragraph (b) of this subdivision is guilty of a [class B misdemeanor] FELONY punishable by A DETERMINATE TERM OF imprisonment [for a period not to exceed three months] OF NOT LESS THAN THREE YEARS NOR MORE THAN FIVE YEARS, or by a fine not to exceed [five hundred] FIFTEEN THOUSAND dollars, or by both such fine and imprisonment. [Any person who engages in the conduct specified in paragraph (b) of this subdivision after having been convicted within the previous five years of a violation of this subdivision or subdivision four of this section is guilty of a misdemeanor and is punishable by imprisonment for a period not to exceed one year, or by a fine not to exceed one thousand dollars, or by both such fine and imprisonment.]

S 3. This act shall take effect on the thirtieth day after it shall have become a law and shall only apply to offenses committed on or after such date.

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

LBD05220-01-5