

1596

2015-2016 Regular Sessions

I N A S S E M B L Y

January 12, 2015

Introduced by M. of A. TEDISCO, KATZ, BUTLER, McDONOUGH, RIVERA, TENNEY, McLAUGHLIN, CORWIN, GARBARINO, MALLIOTAKIS, LUPINACCI -- Multi-Sponsored by -- M. of A. BROOK-KRASNY, CERETTO, COLTON, COOK, CROUCH, FINCH, JOHNS, KOLB, MILLER, RAIA, THIELE -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to expanding 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 ASSEMBLY, 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 , AS DEFINED IN SUBDIVISION
7 TWENTY-NINE OF SECTION ONE HUNDRED EIGHT OF THIS CHAPTER, to a companion
8 animal with aggravated cruelty[.]; OR
9 (B) IN THE COURSE OF COMMISSION OF A FELONY, OR OF IMMEDIATE FLIGHT
10 THEREFROM, HE OR SHE CAUSES PHYSICAL INJURY, AS DEFINED IN SUBDIVISION
11 TWENTY-EIGHT OF SECTION ONE HUNDRED EIGHT OF THIS CHAPTER, OR DEATH TO A
12 COMPANION ANIMAL.
13 For purposes of this section, "aggravated cruelty" shall mean conduct
14 which: (i) is intended to cause extreme physical pain; or (ii) is done
15 or carried out in an especially depraved or sadistic manner.
16 S 2. This act shall take effect immediately.

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

LBD00008-01-5