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

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I N S E N A T E

April 15, 2016

Introduced by Sen. AVELLA -- 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 penalties for the failure to provide appropriate shelter to a dog left outdoors

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

Section 1. Paragraph (a) of subdivision 2 of section 353-b of the agriculture and markets law, as added by chapter 594 of the laws of 2003, is amended to read as follows:

(a) Any person who owns or has custody or control of a dog that is left outdoors shall provide it with shelter appropriate to its breed, physical condition and the climate. Any person who knowingly violates the provisions of this section shall be guilty of a violation, punishable by a fine of [not less than] TWO HUNDRED fifty dollars [nor more than one hundred dollars] for a first offense, [and] a fine of [not less than one] FIVE hundred dollars [nor more than two hundred fifty dollars] for a second VIOLATION and [subsequent offenses] A FINE OF ONE THOUSAND DOLLARS FOR A THIRD VIOLATION. Beginning seventy-two hours after a charge of violating this section, each day that a defendant fails to correct the deficiencies in the dog shelter for a dog that he or she owns or that is in his or her custody or control and that is left outdoors, so as to bring it into compliance with the provisions of this section shall constitute a separate offense.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.

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

LBD02567-03-6