STATE OF NEW YORK

5153

2017-2018 Regular Sessions

IN ASSEMBLY

February 6, 2017

Introduced by M. of A. MALLIOTAKIS, RAIA, COLTON, MURRAY, CURRAN -- Multi-Sponsored by -- M. of A. FRIEND, LUPINACCI, MAGEE, THIELE -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to penalties for intent to cause injury to an animal

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 1 of section 353-a of the agriculture and markets law, as added by chapter 118 of the laws of 1999, is amended to read as follows:

1. A person is guilty of aggravated cruelty to animals when[~~,~~]**: (a)** with no justifiable purpose, he or she intentionally kills or intentionally causes serious physical injury to a companion animal with aggravated cruelty **or (b) under circumstances evincing a depraved indifference to the life of an animal, he or she recklessly engages in conduct which creates a grave risk of serious physical injury or death to the animal, and thereby causes serious physical injury or death to such animal**. For purposes of this section, "aggravated cruelty" shall mean conduct which: (i) is intended to cause extreme physical pain; or (ii) is done or carried out in an especially depraved or sadistic manner.

§ 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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