

STATE OF NEW YORK

1834

2019-2020 Regular Sessions

IN ASSEMBLY

January 17, 2019

Introduced by M. of A. SANTABARBARA, WALSH, RA, LUPARDO, BYRNE, McDO-
NOUGH, L. ROSENTHAL, RIVERA, LAVINE, ABBATE, JAFFEE, GLICK, BRONSON,
STIRPE, COLTON, SEAWRIGHT, M. G. MILLER, PRETLOW, JOHNS, BLAKE, HUNT-
ER, PICHARDO, THIELE, CUSICK, DAVILA, ENGLEBRIGHT, COOK, D'URSO,
ORTIZ, OTIS, WEPRIN, PAULIN, GUNTHER, GALEF, BENEDETTO, STEC, B. MILL-
ER, BLANKENBUSH, NORRIS, MORINELLO, LAWRENCE, MONTESANO, GARBARINO,
GIGLIO, BRABENEC, FINCH, RAIA, CROUCH, MOSLEY, PALUMBO, JONES, HAWLEY,
M. L. MILLER, MALLIOTAKIS, DiPIETRO, FITZPATRICK, LALOR, BARCLAY,
PALMESANO, BARRETT, LIFTON, FAHY, HEVESI, DICKENS, BARNWELL, BUCHWALD,
TITUS, WILLIAMS, KOLB, DINOWITZ, RODRIGUEZ, VANEL, RICHARDSON --
Multi-Sponsored by -- M. of A. DenDEKKER, FRIEND, PHEFFER AMATO,
SIMON, WOERNER -- read once and referred to the Committee on Agricul-
ture

AN ACT to amend the agriculture and markets law, in relation to expand-
ing 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 Assem-
bly, do enact as follows:

1 Section 1. This act shall be known and may be cited as "Kirby and
2 Quigley's Law".

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

6 1. A person is guilty of aggravated cruelty to animals when[~~7~~]: either
7 (a) with no justifiable purpose, he or she intentionally kills or
8 intentionally causes serious physical injury, as defined in subdivision
9 twenty-nine of section one hundred eight of this chapter, to a companion
10 animal with aggravated cruelty[~~+~~]; or

11 (b) in the course of commission of a felony, or of immediate flight
12 therefrom, he or she causes intentional physical injury, as defined in

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

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1 subdivision twenty-eight of section one hundred eight of this chapter,
2 or death to a companion animal.

3 For purposes of this section, "aggravated cruelty" shall mean conduct
4 which: (i) is intended to cause extreme physical pain; or (ii) is done
5 or carried out in an especially depraved or sadistic manner.

6 § 3. This act shall take effect immediately.