

STATE OF NEW YORK

1633

2021-2022 Regular Sessions

IN ASSEMBLY

January 11, 2021

Introduced by M. of A. SANTABARBARA, WALSH, RA, LUPARDO, BYRNE, McDO-
NOUGH, L. ROSENTHAL, J. RIVERA, LAVINE, ABBATE, GLICK, BRONSON,
STIRPE, COLTON, SEAWRIGHT, PRETLOW, HUNTER, PICHARDO, THIELE, CUSICK,
DAVILA, ENGLEBRIGHT, COOK, OTIS, WEPRIN, PAULIN, GUNTHER, GALEF, BENE-
DETTO, B. MILLER, BLANKENBUSH, NORRIS, MORINELLO, MONTESANO,
J. M. GIGLIO, BRABENEC, JONES, HAWLEY, M. MILLER, DiPIETRO, FITZPA-
TRICK, LALOR, BARCLAY, PALMESANO, BARRETT, FAHY, HEVESI, DICKENS,
BARNWELL, WILLIAMS, DINOWITZ, RODRIGUEZ, VANEL, RICHARDSON -- Multi-
Sponsored by -- M. of A. FRIEND, PHEFFER AMATO, SIMON, WOERNER --
read once and referred to the Committee on Agriculture

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[~~7~~]; 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
13 subdivision twenty-eight of section one hundred eight of this chapter,
14 or death to a companion animal.

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

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