STATE OF NEW YORK

8443

2021-2022 Regular Sessions

IN ASSEMBLY

November 17, 2021

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to requiring the court to require a mental health evaluation when a person is convicted of certain crimes pertaining to animal fighting and aggravated cruelty to animals

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

Section 1. Section 351 of the agriculture and markets law is amended by adding a new subdivision 7 to read as follows:

7. The court shall order any person convicted of this section to receive a mental health evaluation by a licensed psychologist or therapist named by the court, and subsequent mental health counseling, if warranted by the evaluation, for a period of time to be prescribed by the licensed psychologist or therapist. The cost of the mental health evaluation and any required mental health counseling shall be paid by such convicted person. The court shall order such person to submit the results of the mental health evaluation to the court, and if subsequent counseling is ordered, the court may order such person to provide documentation of attendance to the court.

§ 2. Section 353-a of the agriculture and markets law is amended by adding a new subdivision 4 to read as follows:

4. The court shall order any person convicted of this section to receive a mental health evaluation by a licensed psychologist or therapist named by the court, and subsequent mental health counseling, if warranted by the evaluation, for a period of time to be prescribed by the licensed psychologist or therapist. The cost of the mental health evaluation and any required mental health counseling shall be paid by such convicted person. The court shall order such person to submit the results of the mental health evaluation to the court, and if subsequent

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

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counseling is ordered, the court may order such person to provide documentation of attendance to the court.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.