STATE OF NEW YORK

5775

2021-2022 Regular Sessions

IN ASSEMBLY

February 24, 2021

Introduced by M. of A. GLICK, L. ROSENTHAL, LUPARDO, COOK, VANEL, JEAN-PIERRE, ZEBROWSKI, ABBATE, SEAWRIGHT, J. RIVERA -- read once and referred to the Committee on Judiciary

AN ACT to amend the domestic relations law, in relation to requiring the court to consider the best interest of a companion animal when awarding possession in a divorce or separation proceeding

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

Section 1. Subparagraphs 14 and 15 of paragraph d of subdivision 5 of part B of section 236 of the domestic relations law, as amended by section 1 of part PP of chapter 55 of the laws of 2020, are amended to read as follows:

(14) whether either party has committed an act or acts of domestic violence, as described in subdivision one of section four hundred fifty-nine-a of the social services law, against the other party and the nature, extent, duration and impact of such act or acts; [~~and~~]

(15) **in awarding the possession of a companion animal, the court shall consider the best interest of such animal. "Companion animal", as used in this subparagraph, shall have the same meaning as in subdivision five of section three hundred fifty of the agriculture and markets law; and**

(16) any other factor which the court shall expressly find to be just and proper.

§ 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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