STATE OF NEW YORK

5030

2023-2024 Regular Sessions

IN SENATE

February 22, 2023

Introduced by Sens. BRISPORT, JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to requiring the owner of any place or establishment where animals or fowls are slaughtered or butchered for food to reimburse costs associated with capture and return or rescue and rehabilitation of escaped animals

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

Section 1. The agriculture and markets law is amended by adding a new section 96-e-1 to read as follows:

§ 96-e-1. Penalties for escaped animals and fowl. 1. For purposes of this section: (a) "Escaped animal" shall mean any animal or fowl that has broken free and fled from confinement or control by any place or establishment where animals or fowls are slaughtered or butchered for food and roams off the premises of such facility; and

(b) "Individual engaged in animal rescue" shall mean any private person who brings under control any escaped animal.

2. In instances where any animal or fowl has escaped from any place or establishment where animals or fowls are slaughtered or butchered for food, as defined by this article and such animal is recovered by any law enforcement officer, peace officer, authorized animal control officer, or individual engaged in animal rescue and delivered by such persons to a municipal animal control or rescue facility, the owner of any such place or establishment shall be liable for the reimbursement of any costs incurred by the municipality and animal control or local health department associated with the capture and return of escaped animals. For each incident involving an escaped animal, a civil penalty of one thousand dollars shall be assessed which shall be donated to the municipal or county shelter of the city or county where such animal escaped. In lieu of civil penalty, the owner of any place or establishment may relinquish ownership of an escaped animal.

§ 2. This act shall take effect immediately.

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

LBD00758-01-3