

# STATE OF NEW YORK

96

2023-2024 Regular Sessions

## IN SENATE

(Prefiled)

January 4, 2023

Introduced by Sens. TEDISCO, ADDABBO, BRESLIN, HELMING, KENNEDY, O'MARA, SANDERS, SEPULVEDA, WEIK -- 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 expanding 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 Assembly, 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  
13 subdivision twenty-eight of section one hundred eight of this chapter,  
14 or death to a companion animal.  
15 For purposes of this section, "aggravated cruelty" shall mean conduct  
16 which: (i) is intended to cause extreme physical pain; or (ii) is done  
17 or carried out in an especially depraved or sadistic manner.  
18 § 3. This act shall take effect immediately.

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

LBD00293-01-3