STATE OF NEW YORK

1372

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

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

AN ACT to amend the general obligations law, in relation to compensation for injury or death of a companion animal

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

Section 1. The general obligations law is amended by adding a new section 11-108 to read as follows:

§ 11-108. Compensation for injury or death of a companion animal. 1. In addition to any other right of action or recovery otherwise available under law, a person may recover damages from another who negligently, recklessly, or intentionally causes unjustifiable physical injury or death of a companion animal.

2. In determining damages for negligently, recklessly, or intentionally causing physical injury or death to a companion animal, the court may consider, among other factors, evidence regarding the bond between the companion animal and the companion animal's owner. The court may also award punitive damages where physical injury or death to a companion animal was unjustifiable and intentionally or recklessly caused.

3. "Companion animal" as used in this section shall have the same meaning as subdivision five of section three hundred fifty of the agriculture and markets law.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law.

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

LBD01334-01-3