

# STATE OF NEW YORK

1966

2025-2026 Regular Sessions

## IN ASSEMBLY

January 14, 2025

Introduced by M. of A. ROSENTHAL, BENEDETTO, PAULIN, WEPRIN, OTIS, SANTABARBARA, ZINERMAN, KELLES, DiPIETRO -- Multi-Sponsored by -- M. of A. COLTON, DINOWITZ, GLICK, HEVESI, LUPARDO, McDONOUGH -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to aggravated cruelty to animals

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

1 Section 1. Subdivisions 1 and 2 of section 353-a of the agriculture  
2 and markets law, as added by chapter 118 of the laws of 1999, are  
3 amended to read as follows:  
4 1. A person is guilty of aggravated cruelty to animals when, with no  
5 justifiable purpose, [~~he or she~~] such person intentionally kills or  
6 intentionally causes serious physical injury to a companion animal or  
7 wildlife, as defined in subdivision six of section 11-0103 of the envi-  
8 ronmental conservation law, other than insects, with aggravated cruelty.  
9 For purposes of this section, "aggravated cruelty" shall mean conduct  
10 which: (i) is intended to cause extreme physical pain; or (ii) is done  
11 or carried out in an especially deprived or sadistic manner.  
12 2. Nothing contained in this section shall be construed to prohibit or  
13 interfere in any way with anyone lawfully engaged in hunting, trapping,  
14 [~~or~~] fishing, or taking as provided in article eleven of the environ-  
15 mental conservation law, activities deemed to be sound agricultural  
16 practices pursuant to section three hundred eight of this chapter, or  
17 reasonable activities for the purpose of managing pests that is in  
18 accordance with federal, state, and local laws and regulations, the  
19 dispatch of rabid or diseased animals, as provided in article twenty-one  
20 of the public health law, or the dispatch of animals posing a threat to  
21 human safety or other animals, where such action is otherwise legally  
22 authorized, or any properly conducted scientific tests, experiments, or  
23 investigations involving the use of living animals, performed or

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

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1 conducted in laboratories or institutions approved for such purposes by  
2 the commissioner of health pursuant to section three hundred fifty-three  
3 of this article.  
4 § 2. This act shall take effect on the ninetieth day after it shall  
5 have become a law.