



NEW YORK STATE SENATOR

Cecilia Tkaczyk

Tkaczyk Measure Would Protect Dogs from Neglect

CECILIA TKACZYK January 9, 2014

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State Senator Cecilia Tkaczyk is introducing legislation that will make the failure to provide adequate shelter for dogs a misdemeanor, rather than a violation.

Under current NYS Agriculture and Markets Law, the most severe penalty for leaving dogs out in the freezing cold or other dangerous conditions is a fine of \$50 to \$100 for the first offense, and up to \$250 for a second offense.

“The current penalty is the equivalent of a parking ticket,” Senator Tkaczyk said. “Knowingly leaving dogs to suffer in the freezing cold should be treated as a crime, not as an expired parking meter.”

Under the law Tkaczyk is proposing, the penalty for the failure to provide adequate shelter will be increased to a misdemeanor – a criminal charge punishable by up to one year in jail, substantial fines and probation.

The bill amends Section 353 of the NYS Agriculture and Markets Law, and would strengthen the role of the Department of Ag and Markets in overseeing the care and sheltering of dogs, and would create a more active role for law enforcement in pursuing violations of these laws.

The need for the bill was made evident in recent news reports that a Montgomery County dog-breeding operation had possibly endangered 70 dogs and puppies by not providing them with adequate shelter in the midst of a sub-zero cold spell.

The owner of the operation agreed to turn over 40 of his dogs to the Montgomery County Society for the Prevention of Cruelty to Animals after he was charged with a violation of the Agriculture & Markets Law for failure to provide adequate shelter.

“As a dog-owner and an animal lover, I know that caring for an animal is a huge responsibility, and dog owners have to take that responsibility seriously, whether they own one even if they’re a commercial operation,” Senator Tkaczyk said.