



NEW YORK STATE SENATOR

Susan Serino

## SENATE PASSES PACKAGE OF ANIMAL PROTECTION MEASURES

SUSAN SERINO June 7, 2018

| ISSUE: **ANIMAL ADVOCACY DAY**



The New York State Senate today passed a package of measures that strengthen protections for animals and their owners from harm and abuse as part of this week's Animal Advocacy Day. The bills eliminate the predatory practice of pet leasing, strengthen Buster's Law, crack down on animal fighting, and toughen penalties for theft of companion animals, among other measures.

Senator Jim Tedisco (R-C-I-REF, Glenville), Co-Chair of Animal Advocacy Day, said, “We have an obligation as a government to protect all members of our family, including those who have no voice. Unfortunately, there are some individuals who fail to see the value of our companion animals, resulting in animal abuse, cruelty, and neglect, which occur far too often. Animal cruelty is a bridge crime on the FBI criminal profile and those who are so dastardly as to harm our pets can and often do go on to hurt people. Animal Advocacy Day matters because it’s about more than just protecting our four-legged friends, it’s about keeping people safe. Just as important as strengthening our laws, Animal Advocacy Day aims to educate the public and law enforcement about the value of our companion animals and the importance of enforcing existing laws.”

Senator Sue Serino (R-C-I, Hyde Park), Co-Chair of Animal Advocacy Day, said, “For many New Yorkers, our pets are an extension of our families and we have a responsibility to ensure that our laws are working effectively to promote their health and safety. Animal Advocacy Day brings countless New Yorkers together to take a stand for the companion animals that give so much to so many of us, and I continue to be immensely proud of the work this day does to better protect those that cannot protect themselves. When we deter crimes against animals, we are working to improve public safety overall and I thank my colleagues in both houses for continuing to recognize the significance that this day holds and for helping us to pass legislation that will better protect both New Yorkers and their animal companions.”

Senator Phil Boyle (R-C-I, Suffolk County), Co-Chair of Animal Advocacy Day, said, “I take great pride in the quality of the bipartisan legislation that we introduce each year in support of animals. This year is no different. Every bill speaks volumes on how important it is that we systematically enact laws that not only protect animals but, ultimately, punish those that wish to do them harm. The safety of our animals is a responsibility in which we all need to share. I would like to thank all of the pet owners, advocacy groups, and organizations that

travel to Albany every June in support of Animal Advocacy Day. It is because of that support we are able to determine the appropriate legislation to keep our animals safe and continue to make New York State head and shoulders above the rest when it comes to animal welfare.”

The bills passed include:

**Prohibiting the leasing of dogs and cats:** Bill [S7415C](#), sponsored by Senator Carl Marcellino (R, Syosset), eliminates the predatory practice of leasing dogs and cats for ownership. Pet leasing is a practice that preys on people who cannot always afford a companion animal. Many do not understand they are entering into a lease agreement for an animal for multiple months. In

the process, these individuals are forced to pay far more than they realized.

**Toughening penalties for the theft of a dog or cat:** Bill [S1256](#), sponsored by Senator Marcellino, establishes the theft of dogs and cats as grand larceny in the fourth degree in certain cases. This helps law enforcement with difficulties in determining the dollar value of stolen pets.

**Prohibiting violators of “Buster’s Law” from having a companion animal:** Bill [S2501](#), sponsored by Senator Tedisco, would prohibit a person convicted of “Buster’s Law” from owning or possessing a companion animal unless authorized by court order, after appropriate psychiatric or psychological testing. Requiring a psychiatric evaluation will help identify behavior problems and ensure more animals are not abused.

**Creating Kirby & Quigley’s Law:** Bill [S1680A](#), sponsored by Senator Tedisco, would expand the definition of aggravated cruelty to animals to include harm to companion animals during the commission of a felony. Violating this measure would be punishable with two years in jail and a \$5,000 fine.

**Toughening penalties for dog fighting and cruelty to animals:** Bill [S1712](#), sponsored by Senator Tedisco, increases certain penalties for violating the prohibition of animal fighting and for aggravated cruelty to animals, plus requires psychiatric evaluation/treatment for those committing the crime of Aggravated Cruelty to Animals.

**Increasing the fine for abandoning an animal:** Bill [S1137](#), sponsored by Senator Marcellino, would increase the fine for animal abandonment from \$1,000 to \$2,000. This would help prevent abandoned animals from starving or freezing to death, breeding, spreading disease, or being killed by other animals.

**Designating animal fighting as an enterprise-crime-eligible offense:** Bill [S594](#), sponsored by Senator Boyle, would define animal fighting as a criminal act when referring to enterprise corruption. By making animal fighting an enterprise-crime-eligible offense, law enforcement and prosecutors will have more tools available to combat this serious problem.

**Increasing the penalty for multiple convictions of animal cruelty:** Bill [S299](#), sponsored by Senator Terrence Murphy (R-C-I, Yorktown), would increase the penalty to a felony for multiple convictions of torturing, killing, or failing to provide sustenance to an animal, if convicted within five years from the date of a prior conviction. This will also help protect people as well because animal cruelty is often linked to violence against humans.

**Strengthening the penalty for animal cruelty in the presence of a child:** Bill [S728](#), sponsored by Senator Patty Ritchie (R-C-I, Heuvelton), increases the potential term of imprisonment from two to four years when animal cruelty is committed in the presence of a child. Committing such acts in front of a child inflicts psychological damage on the minor who is forced to witness these crimes. They can also permanently imperil a still-developing minor's sense of judgment and ethical conduct.

The bills will be sent to the Assembly.