

**NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)**

BILL NUMBER: A6722

SPONSOR: Kay

TITLE OF BILL:

An act to amend the criminal procedure law, in relation to authorizing bail for principals charged with aggravated cruelty to animals

PURPOSE OR GENERAL IDEA OF BILL:

Authorizes bail for principals charged with aggravated cruelty to animals

SUMMARY OF PROVISIONS:

Section 1 amends paragraph (u) of subdivision 4 of section 510.10 of the criminal procedure law, as added by section 2 of subpart B of part UU of chapter 56 of the laws of 2022 and adds new paragraph (v)

Section 2 amends subparagraph (xxi) of paragraph (b) of subdivision 1 of section 530.20 of the criminal procedure law, as added by section 4 of subpart c of part UU of chapter 56 of the laws of 2022 and adds new subparagraph (xxii).

Section 3 amends paragraph (u) of subdivision 4 of section 530.40 of the criminal procedure law, as added by section 4 of subpart B of part UU of chapter 56 of the laws of 2022 and adds new paragraph (v).

Section 4 establishes the effective date.

JUSTIFICATION:

Aggravated cruelty to animals, commonly known as animal cruelty is a heinous crime against an innocent creature that is unlikely or unable to defend itself. As such, those who commit this crime are especially evil and liable to commit this crime or another serious crime again before their trial since there are no safeguards to prevent someone charged with this crime from purchasing or finding another animal to abuse the day they are released pending their trial.

According to the FBI, 75% of abused women with pets reported a history of their pet being threatened or intentionally harmed by their abuser, with children being present and witnessing that violence over 90% of the time. Additionally, animal cruelty is a strong predictor of current and future violence, including assault, rape, murder, arson, domestic violence, and sexual abuse of children. In some cases, such as sexual abuse, it is a better predictor than homicide.

Currently, aggravated cruelty to animals is not bail eligible. This

legislation intends to restore judicial discretion in cases of suspected animal cruelty.

PRIOR LEGISLATIVE HISTORY:

2023-24: A.5820

FISCAL IMPLICATIONS FOR STATE AND LOCAL GOVERNMENTS:

Nominal

EFFECTIVE DATE:

Immediately

STATE OF NEW YORK

6722

2025-2026 Regular Sessions

IN ASSEMBLY

March 11, 2025

Introduced by M. of A. KAY, SLATER -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to authorizing bail for principals charged with aggravated cruelty to animals

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

1 Section 1. Paragraph (u) of subdivision 4 of section 510.10 of the
2 criminal procedure law, as added by section 2 of subpart B of part UU of
3 chapter 56 of the laws of 2022, is amended and a new paragraph (v) is
4 added to read as follows:

5 (u) criminal possession of a weapon in the third degree as defined in
6 subdivision three of section 265.02 of the penal law or criminal sale of
7 a firearm to a minor as defined in section 265.16 of the penal law[-];

8 or

9 (v) aggravated cruelty to animals as defined in section three hundred
10 fifty-three-a of the agriculture and markets law.

11 § 2. Subparagraph (xxi) of paragraph (b) of subdivision 1 of section
12 530.20 of the criminal procedure law, as added by section 4 of subpart C
13 of part UU of chapter 56 of the laws of 2022, is amended and a new
14 subparagraph (xxii) is added to read as follows:

15 (xxi) criminal possession of a weapon in the third degree as defined
16 in subdivision three of section 265.02 of the penal law or criminal sale
17 of a firearm to a minor as defined in section 265.16 of the penal
18 law[-]; or

19 (xxii) aggravated cruelty to animals as defined in section three
20 hundred fifty-three-a of the agriculture and markets law.

21 § 3. Paragraph (u) of subdivision 4 of section 530.40 of the criminal
22 procedure law, as added by section 4 of subpart B of part UU of chapter
23 56 of the laws of 2022, is amended and a new paragraph (v) is added to
24 read as follows:

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

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- 1 (u) criminal possession of a weapon in the third degree as defined in
2 subdivision three of section 265.02 of the penal law or criminal sale of
3 a firearm to a minor as defined in section 265.16 of the penal law[~~u~~];
4 or
5 (v) aggravated cruelty to animals as defined in section three hundred
6 fifty-three-a of the agriculture and markets law.
7 § 4. This act shall take effect immediately.

A6722 Kay No Same as

Criminal Procedure Law

TITLE....Authorizes bail for principals charged with aggravated cruelty to animals

03/11/25 referred to codes

KAY, SLATER, DE LOS SANTOS

Amd §§510.10, 530.20 & 530.40, CP L

Authorizes bail for principals charged with aggravated cruelty to animals.

CRIMINAL SANCTION IMPACT.
