



2018 New York State YMCA

Youth And Government

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FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Assembly Liberty 5

Bill #: AL-31

1 **Sponsors:** Chris DeLage, Skye De Lucia, Logan Luke, Sean Powers

2

3 **An Act To**

4 Amend § 353-f of the penal code to allow citizens to take any cautionary measure
5 remove an animal from a vehicle in extreme temperatures.

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

7

8 **Purpose**

9 The purpose of this bill is to allow citizens to take any necessary measure to
10 remove an animal from extreme temperatures of a vehicle. This would save the
11 lives of thousands of domesticated animals each year.

12

13 **Summary of Provisions**

14 **Section 1**

- 15 1. A person shall not confine a companion animal in a motor vehicle in extreme
16 heat or cold without proper ventilation or other protection from such extreme
17 temperatures where such confinement places the companion animal in
18 imminent danger of death or serious physical injury due to exposure to such
19 extreme heat or cold.
- 20 2. Where the operator of such a vehicle cannot be promptly located, a police
21 officer, peace officer, or peace officer acting as an agent of a duly
22 incorporated humane society, and citizens may take necessary steps to
23 remove the animal or animals from the vehicle.
- 24 3. Police officers, peace officers, ~~or~~ peace officers acting as agents of a duly
25 incorporated humane society, or citizens removing an animal or animals from
26 a vehicle pursuant to this section shall place a written notice on or in the
27 vehicle, bearing the name of the officer, ~~or~~ agent, or citizen and the
28 department or agency and address where the animal or animals will be
29 taken.
- 30 4. An animal or animals removed from a vehicle pursuant to this section shall,
31 after receipt of any necessary emergency veterinary treatment, be delivered
32 to the duly incorporated humane society or society for the prevention of
33 cruelty to animals, or designated agent thereof, in the jurisdiction where the
34 animal or animals were seized.
- 35 5. Any person who knowingly violates the provisions of subdivision one of this
36 section shall be guilty of a violation, punishable by a fine of not less than fifty
37 dollars nor more than one hundred dollars for a first offense, and a fine of
38 not less than one hundred dollars nor more than two hundred and fifty
39 dollars for a second and subsequent offenses.



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- 1 6. Officers and citizens shall not be held criminally or civilly liable for actions
2 taken reasonably and in good faith in carrying out the provisions of this
3 section.
4 7. Nothing contained in this section shall be construed to affect any other
5 protections afforded to companion animals under any other provisions of this
6 article.

7

8 **Justification**

9 This bill is important because a police officer or peace officer acting as an agent of
10 duty incorporated humane society may not always be available to help. It would
11 assure thousands of animals their lives a year. Under horrible conditions, dying of
12 heat stroke and exhaustion is mournful to humans and animals alike: especially if it
13 could have been prevented. As the number is too high to be accounted for, there
14 are no official numbers for how many animals die because of exposure to extreme
15 temperatures. The number is too great and too drastic to calculate, making the bill
16 eligible for New York State.

17

18 **Fiscal Implications**

19 This bill has no fiscal implications.

20

21 **Effective Date**

22 This will go into effect a year after its passage.