



Memorandum in Support

COMMITTEE ON ANIMALS AND THE LAW

Animals # 29

February 23, 2026

S.1741

By: Senator Martinez

A.7950

By: M. of A. Kassay

Senate Committee: Codes

Assembly Committee: Codes

Effective Date: This act shall take effect on the ninetieth day after it shall have become a law

AN ACT to amend the agriculture and markets law, in relation to the penalty for the abandonment of animals

LAW AND SECTIONS REFERRED TO: Amends Section 355 of the Agriculture and Markets Law

THE COMMITTEE ON ANIMALS AND THE LAW
SUPPORTS THIS LEGISLATION

S.1741 / A.7950 amends Section 355 of the Agriculture and Markets Law by clarifying and strengthening penalties for animal abandonment. Specifically, the legislation modifies the existing law to replace the gender-specific pronoun “he” with the gender-neutral term “such person” when describing who can be held responsible for animal abandonment, as well as making the minimum fine \$500.00. The bill maintains the existing misdemeanor classification for individuals who abandon animals, leave them to die in public spaces, or fail to address a disabled animal’s condition within three (3) hours after receiving notice thereof.

It is beyond cavil that abandoning animals, leaving them to die, or failing to address a disabled animal’s condition is animal cruelty.

New York has long recognized the public interest in preventing animal cruelty and safeguarding animal welfare. The Agriculture and Markets Law establishes criminal penalties for abandonment and other acts of neglect or cruelty, reflecting legislative intent to protect animals under the law.

Animals abandoned without care often suffer unnecessary pain, injury, or death, and require costly rescue and sheltering by public and private organizations. Strengthening penalties serves legitimate state interests in:

- **Deterrence** — A significant minimum fine creates a clear economic disincentive to abandon animals. Without a minimum threshold, low fines may inadequately deter neglect.

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- Accountability — Ensuring a baseline penalty underscores the seriousness with which New York treats animal abandonment.
- Public Safety and Social Welfare — Studies have shown that cruelty to animals can correlate with other violent behaviors; therefore, punitive measures protect both animals and communities.

Other countries recognize the seriousness of animal abandonment. For example, a comprehensive French animal welfare law was passed several years ago. This law, increasing penalties to three years in prison and fines of up to €45,000 for pet abandonment, is part of a comprehensive French animal welfare law passed in 2022.¹

This aforementioned legislation, sometimes referred to as the "animal welfare law," classifies pet abandonment as a form of animal mistreatment. The formal legislative name in France is the *Loi n° 2021-1539 du 30 novembre 2021 visant à lutter contre la maltraitance animale et à conforter le lien entre les animaux et les hommes* (Law No. 2021-1539 of November 30, 2021, aimed at combating animal mistreatment and strengthening the bond between animals and humans).² The name emphasizes the seriousness of mistreatment of animals, and the law's intention to prevent it.

The Committee on Animals and the Law supports S.1741 / A.7950 as it represents a measured, rational enhancement to New York's animal protection laws by establishing a mandatory minimum fine of \$500 for animal abandonment. The Committee on Animals and the Law further supports this bill since it promotes deterrence, reinforces the seriousness of animal protection, and aligns penalties with the real harms caused by abandonment.

For all the reasons cited herein, the New York State Bar Association's Committee on Animals and the Law SUPPORTS the passage and enactment of this legislation.

¹ <http://legifrance.gouv.fr/jorf/id/JORFTEXT000044387560> (last viewed 2/9/26).

² *Id.*

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