

**RESOLUTION NO. 1017 -2011, ADOPTING LOCAL LAW
NO. 3 -2012, A LOCAL LAW TO INCREASE THE TIME ANIMAL
ABUSE OFFENDERS MUST REMAIN ON THE COUNTY'S
ANIMAL ABUSE OFFENDERS REGISTRY**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on October 11, 2011, a proposed local law entitled, "**A LOCAL LAW TO INCREASE THE TIME ANIMAL ABUSE OFFENDERS MUST REMAIN ON THE COUNTY'S ANIMAL ABUSE OFFENDERS REGISTRY;**" now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. 3 -2012, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO INCREASE THE TIME ANIMAL ABUSE
OFFENDERS MUST REMAIN ON THE COUNTY'S ANIMAL ABUSE
OFFENDERS REGISTRY**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
SUFFOLK**, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that in 2010, the County of Suffolk established the first registry for animal abuse offenders in the United States.

This Legislature also finds and determines that the Suffolk County Animal Abuse Offenders Registry currently requires all individuals convicted of specified crimes against animals to register for a period of five years following their conviction.

This Legislature further finds and determines that studies have shown that individuals who abuse animals are more likely to commit violent acts against persons, including children, as well.

This Legislature finds that concerns have been raised that having a five year registration period may be insufficient to monitor animal abuse offenders who may be a risk not only to animals, but to people in the community.

This Legislature determines that the length of time animal abuse offenders remain on the registry should be extended from five years to ten years in the interest of protecting our communities.

Therefore, the purpose of this law is to extend the time animal abuse offenders must remain on the registry from five years to ten years.

Section 2. Amendments.

Section 207-28 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 207, ANIMALS

ARTICLE IV, Animal Abuse Offenders Registry.

§ 207-28. Requirements.

D. Each person required to register with Suffolk County shall remain on the Animal Abuse Registry for five years following his or her release from incarceration or the date judgment was rendered, whichever is later. Registered persons who are convicted of subsequent animal abuse crimes shall remain on the registry for [five] ten years following their most recent conviction.

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

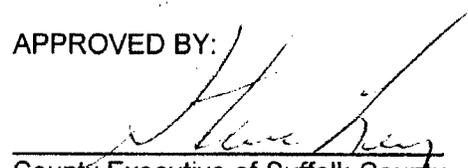
Section 6. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
____ Underlining denotes addition of new language

DATED: December 6, 2011

APPROVED BY:



County Executive of Suffolk County

Date: **DEC 2 2 2011**

After a public hearing duly held on December 21, 2011
Filed with the Secretary of State on February 17, 2012

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on December 6, 2011 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

Tim Laube

Clerk of the Legislature

Intro. Res.

1843

Res. No.

1017

December 6, 2011

Motion:

Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:

Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
6	Sarah S. ANKER					
7	Jack EDDINGTON					
9	Ricardo MONTANO				/	
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	17	1		1	1

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
<input type="checkbox"/> Send To Committee
<input type="checkbox"/> Table Subject To Call
<input type="checkbox"/> Lay On The Table
<input type="checkbox"/> Discharge
<input type="checkbox"/> Take Out of Order
<input type="checkbox"/> Reconsider
<input type="checkbox"/> Waive Rule _____
<input type="checkbox"/> Override Veto
<input type="checkbox"/> Close
<input type="checkbox"/> Recess
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
<input type="checkbox"/> NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote