

**RESOLUTION NO. 1132 -2013, ADOPTING LOCAL LAW
NO. 4 -2014, A LOCAL LAW TO STRENGTHEN THE
ANIMAL ABUSE OFFENDERS REGISTRY**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on October 8, 2013, a proposed local law entitled, "**A LOCAL LAW TO STRENGTHEN THE ANIMAL ABUSE OFFENDERS REGISTRY**" and said local law in final form is the same as when presented and introduced; now, therefore be it

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

LOCAL LAW NO. 4 -2014, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO STRENGTHEN THE 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 Local Law No. 55-2010, codified at Chapter 299 of the SUFFOLK COUNTY CODE, established the Suffolk County Animal Abuse Offenders Registry (the "Registry").

This Legislature also finds and determines that animal cruelty is a serious problem, with thousands of cases of animal abuse reported each year in the United States.

This Legislature further finds that the Registry is designed to protect animals from owners previously convicted of crimes involving animal abuse or animal cruelty.

This Legislature also finds that it is prudent to expand the field of organizations who are qualified to maintain the Registry on behalf of the County of Suffolk.

This Legislature also finds that providing notice of the registration requirement to those convicted of animal abuse crimes at the time of sentencing will increase compliance with registration requirements.

Therefore, the purpose of this law is to amend the Registry Law to allow the Suffolk County Police Department, to contract with appropriate organizations dedicated to animal rights, rescue and/or preventing animal abuse, to maintain the Registry, and to further strengthen the requirements of the law.

Section 2. Amendments.

Article IV of Chapter 299 of the SUFFOLK COUNTY CODE is hereby amended as follows:

ARTICLE IV
Animal Abuse Offenders Registry

* * * *

§ 299-27. Creation of registry.

A registry is hereby created which shall contain the names and residence information of individuals living in Suffolk County who are convicted of an animal abuse crime. The Commissioner of the Suffolk County Police Department is hereby authorized[,] and empowered [and directed] to contract with qualified organizations dedicated to animal rights, rescue and/or preventing animal abuse [the Suffolk County Society for the Prevention of Cruelty to Animals (SCSPCA)] to establish and maintain a publicly accessible registry for such individuals residing in Suffolk County. The selected [SCSPCA] contractor shall receive all fees associated with the registration as compensation for its maintenance and administration of the registry.

§ 299-28. Registration requirements.

A. All persons 18 years of age or older who reside in Suffolk County and are convicted of an animal abuse crime on or after the effective date of this article must register with the Suffolk County Animal Abuse Registry at a Suffolk County Police Department precinct within five days following the effective date of this article or their release from incarceration or, if not incarcerated, from the date of conviction [the rendering of judgment].

B. All persons 18 years of age or older who reside in Suffolk County and are convicted of an animal abuse crime shall be notified at sentencing by the Office of the Suffolk County District Attorney of the requirement to register pursuant to §299-28 (A).

C [B]. Each person required to register with the Animal Abuse Registry shall submit:

- (1) His or her name;
- (2) Any aliases he or she is known under;
- (3) His or her residential address; and
- (4) A photograph of his or her head and shoulders from the front.

D[C]. Each person registered with the Animal Abuse Registry shall update his or her registration information each time he or she moves from one residential address to another or, if his or her residential address does not change, annually from the date of his or her first registration.

E[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 10-years following their most recent conviction.

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Section 3. Applicability.

This law shall apply to all actions 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 effect, 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 judgment or order shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environment 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) 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 3, 2013

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: December 20, 2013

After a public hearing duly held on December 11, 2013
Filed with the Secretary of State on January 14, 2014