

2409--D

2011-2012 Regular Sessions

I N   S E N A T E

January 20, 2011

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Introduced by Sen. GRISANTI -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Agriculture in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law, in relation to training, examination and certification of dog control officers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. The agriculture and markets law is amended by adding a new  
2     section 114-a to read as follows:  
3     S 114-A. TRAINING AND CERTIFICATION OF DOG CONTROL OFFICERS. 1. THE  
4     DEPARTMENT SHALL DEVELOP A TRAINING, EXAMINATION AND CERTIFICATION  
5     PROGRAM FOR DOG CONTROL OFFICERS, POLICE OFFICERS AND PEACE OFFICERS WHO  
6     DEAL WITH ANIMAL CONTROL OR ANIMAL ABUSE ISSUES.  
7     2. (A) EXCEPT AS PROVIDED IN PARAGRAPH (B) OF THIS SUBDIVISION, ANY  
8     PERSON APPOINTED AS A DOG CONTROL OFFICER SHALL, WHERE REQUIRED BY THE  
9     GOVERNING BODY OF ANY POLITICAL SUBDIVISION, COMPLETE A COURSE OF TRAIN-  
10    ING APPROVED BY THE DEPARTMENT AND SHALL TAKE AND PASS AN EXAMINATION  
11    GIVEN BY THE DEPARTMENT. ANY PERSON CURRENTLY EMPLOYED AS A DOG CONTROL  
12    OFFICER SHALL, WHERE REQUIRED BY THE GOVERNING BODY OF ANY POLITICAL  
13    SUBDIVISION, COMPLETE THE TRAINING AND TAKE AND PASS THE EXAMINATION NO  
14    LATER THAN DECEMBER FIRST, TWO THOUSAND FOURTEEN. THE TRAINING AND  
15    CERTIFICATION SHALL BE AVAILABLE TO, BUT NOT REQUIRED FOR POLICE OFFI-

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

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1 CERS OR PEACE OFFICERS WHO DEAL WITH ANIMAL CONTROL OR ANIMAL ABUSE  
2 ISSUES.

3 (B) A VETERINARIAN LICENSED PURSUANT TO ARTICLE ONE HUNDRED  
4 THIRTY-FIVE OF THE EDUCATION LAW SHALL BE EXEMPT FROM THE TRAINING  
5 REQUIRED BY SUBDIVISION ONE OF THIS SECTION.

6 3. THE TRAINING PROGRAM REQUIRED BY THIS SECTION SHALL INCLUDE TRAIN-  
7 ING REGARDING:

8 (A) THE SCOPE OF THE RESPONSIBILITIES OF THE DOG CONTROL OFFICER;

9 (B) APPROPRIATE AND HUMANE HANDLING OF ANIMALS, INCLUDING TRANSPORTING  
10 ANIMALS SAFELY, GENERAL ANIMAL CONTROL AND PROPER METHODS FOR CAPTURING  
11 ANIMALS;

12 (C) THE LAWS AND RULES REGARDING DOG LICENSING, AND SEARCH AND  
13 SEIZURE;

14 (D) CRISIS INTERVENTION AND OFFICER SAFETY;

15 (E) IDENTIFICATION OF RESOURCES TO HOUSE ANIMALS WHILE A CRIMINAL CASE  
16 IS RESOLVED;

17 (F) REPORT WRITING AND COURTROOM TESTIMONY;

18 (G) DISPOSAL OF THE REMAINS OF DECEASED ANIMALS;

19 (H) IDENTIFICATION AND NOTIFICATION OF AN ANIMAL'S OWNER; AND

20 (I) OTHER RELEVANT PROVISIONS OF THIS CHAPTER.

21 4. GOVERNING BODIES OF POLITICAL SUBDIVISIONS THAT REQUIRE TRAINING  
22 AND CERTIFICATION PURSUANT TO SUBDIVISION TWO OF THIS SECTION SHALL  
23 TERMINATE THE APPOINTMENT OF ANY DOG CONTROL OFFICER WHO FAILS TO OBTAIN  
24 SUCH TRAINING AND CERTIFICATION WITHIN THE REQUIRED PERIOD OF TIME.

25 5. THE DEPARTMENT SHALL: (A) DETERMINE THE FORMAT OF THE TRAINING AND  
26 CERTIFICATION EXAMINATIONS, INCLUDING AN INTERNET-BASED FORMAT IF THE  
27 DEPARTMENT DEEMS SUCH TO BE APPROPRIATE;

28 (B) ESTABLISH THE SCHEDULE FOR OFFERING TRAINING AND EXAMINATIONS;

29 (C) ESTABLISH SUCH FEES AS THE DEPARTMENT DEEMS NECESSARY FOR TRAIN-  
30 ING, ADMISSION TO THE EXAMINATION, RE-EXAMINATION AND CERTIFICATION; AND

31 (D) PROMULGATE RULES, REGULATIONS AND STANDARDS REGARDING THE APPLICA-  
32 TION OF THE TRAINING AND CERTIFICATION TOWARD RECERTIFICATION OR CONTIN-  
33 UING EDUCATION REQUIREMENTS.

34 S 2. This act shall take effect July 1, 2014, provided that, effective  
35 immediately, the addition, amendment and/or repeal of any rule or regu-  
36 lation necessary for the implementation of this act on its effective  
37 date are authorized to be made on or before such effective date.