

1253

2011-2012 Regular Sessions

I N S E N A T E

January 6, 2011

Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to the sale of birds by pet dealers

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

1 Section 1. Subdivision 1 of section 402 of the agriculture and
2 markets law, as added by chapter 259 of the laws of 2000, is amended to
3 read as follows:
4 1. The name and address of the person from whom each animal was
5 acquired. If the person from whom the animal was obtained is a dealer
6 licensed by the United States department of agriculture, the person's
7 name, address, and federal dealer identification number. In the case of
8 cats, if a cat is placed in the custody or possession of the pet dealer
9 and the source of origin is unknown, the pet dealer shall state the
10 source of origin as unknown, accompanied by the date, time, and location
11 of receipt. Notwithstanding the provisions of this subdivision, no pet
12 dealer shall knowingly buy, sell, exhibit, transport, or offer for sale,
13 exhibition, or transportation any stolen animal. No pet dealer shall
14 knowingly sell any cat or dog younger than eight weeks of age. NO PET
15 DEALER SHALL SELL ANY BIRD THAT HAS NOT BEEN FULLY WEANED. FOR PURPOSES
16 OF THIS SUBDIVISION, THE TERM "WEANED" SHALL MEAN A BIRD THAT DOES NOT
17 REQUIRE HAND-FEEDING OR ANIMAL ASSISTANCE TO SUSTAIN AT LEAST NINETY
18 PERCENT OF ITS OWN WEIGHT AT THE TIME OF SALE. FOR PURPOSES OF THIS
19 SUBDIVISION, THE TERM "HAND-FEEDING" OR "HAND-FED" MEANS THE PROCESS BY
20 WHICH A BIRD IS MANUALLY FED BY A HUMAN THROUGH THE USE OF HAND, SPOON,
21 OR ORAL GAVAGE. AT THE TIME OF SALE, A PET DEALER SHALL DOCUMENT THE
22 WEIGHT OF ANY HAND-FED BIRD UNDER ONE YEAR OF AGE, AND NOTE THE WEIGHT
23 ON THE SALES RECEIPT.
24 S 2. This act shall take effect on the sixtieth day after it shall
25 have become a law.

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

LBD01386-01-1