

STATE OF NEW YORK

8118

2021-2022 Regular Sessions

IN ASSEMBLY

June 11, 2021

Introduced by M. of A. McDONOUGH -- read once and referred to the
Committee on Agriculture

AN ACT to amend the general business law, in relation to requiring
retail pet shops to provide information to the department of agricul-
ture and markets relating to where the shop received each animal and
how much the shop paid for each animal

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Section 753-f of the general business law, as added by a
2 chapter of the laws of 2021, amending the agriculture and markets law
3 and the general business law relating to the sale of dogs, cats and
4 rabbits, as proposed in legislative bills numbers S. 1130 and A. 4283,
5 is amended to read as follows:

6 § 753-f. Sale of dogs, cats and rabbits prohibited. A retail pet shop
7 as defined in this article shall not sell, lease, offer to lease, offer
8 to sell, barter, auction, or otherwise transfer ownership of any dog,
9 cat or rabbit; provided, however, that a retail pet shop that is
10 licensed pursuant to section four hundred three of the agriculture and
11 markets law may sell, lease, offer to lease, offer to sell, barter,
12 auction, or otherwise transfer ownership of any dog, cat or rabbit when
13 such shop provides information on where the retail pet shop received
14 each animal and how much money such shop paid to obtain each animal.
15 Such information shall be provided to the department of agriculture and
16 markets upon application for a license or a renewal license as a pet
17 dealer pursuant to section four hundred three of the agriculture and
18 markets law. This section shall not be construed to prohibit a retail
19 pet shop from collaborating with the following entities to provide space
20 to showcase dogs, cats or rabbits owned by these entities for the
21 purpose of adoption; any duly incorporated society for the prevention of
22 cruelty to animals, duly incorporated humane society, duly incorporated
23 animal protective association or other duly incorporated animal adoption

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

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1 or animal rescue organization that is exempt from taxes pursuant to
2 paragraph (3) of subsection (c) of section 501 of the federal Internal
3 Revenue Code, 26 U.S.C. 501, or any subsequent corresponding sections
4 of the federal Internal Revenue Code, as from time to time amended, that
5 is registered with the department pursuant to section four hundred eight
6 of the agriculture and markets law that is not affiliated with, or
7 housed on the premises of a breeder or broker that does not obtain dogs,
8 cats or rabbits from a breeder or broker in exchange for payment or
9 compensation, and does not resell dogs, cats or rabbits obtained from a
10 breeder or broker or provide payment or compensation to such breeder or
11 broker.

12 § 2. This act shall take effect immediately; provided, however, that
13 if a chapter of the laws of 2021, amending the agriculture and markets
14 law and the general business law relating to the sale of dogs, cats and
15 rabbits, as proposed in legislative bills numbers S. 1130 and A. 4283,
16 shall not have taken effect on or before such date, then this act shall
17 take effect on the same date and in the same manner as such chapter of
18 the laws of 2021, takes effect.