

STATE OF NEW YORK

5023--A

2021-2022 Regular Sessions

IN SENATE

February 22, 2021

Introduced by Sens. GIANARIS, ADDABBO, COMRIE, GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to mandating the reporting of suspected animal cruelty by veterinarians

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

1 Section 1. Paragraphs (a) and (b) of subdivision 2 of section 6714 of
2 the education law, as added by chapter 653 of the laws of 2003, are
3 amended to read as follows:

4 (a) When a veterinarian reasonably and in good faith suspects that a
5 companion animal's injury, illness or condition is the result of animal
6 cruelty [~~or a~~] in violation of [~~any state or federal law pertaining to~~
7 ~~the care, treatment, abuse or neglect of a companion animal~~] section
8 three hundred fifty-one, three hundred fifty-three or three hundred
9 fifty-three-a of the agriculture and markets law, the veterinarian [~~may~~]
10 shall report the incident and disclose records concerning the companion
11 animal's condition and treatment to [~~the police, duly incorporated soci-~~
12 ~~ety for the prevention of cruelty to animals, peace officer, district~~
13 ~~attorney's office, animal control officer, department of agriculture and~~
14 ~~markets, other appropriate government agency, or any agent thereof~~] any
15 officer or agent authorized pursuant to sections three hundred seventy-
16 one and three hundred seventy-three of the agriculture and markets law
17 to respond to and investigate complaints of animal cruelty. The identity
18 of such veterinarian making a report pursuant to this paragraph shall
19 only be made available to an officer or agent authorized pursuant to
20 section three hundred seventy-one or three hundred seventy-three of the
21 agriculture and markets law.

22 (b) When a veterinarian reasonably believes that disclosure of records
23 as defined in this section, is necessary to protect the health or

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

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1 welfare of a companion animal, a person or the public, the veterinarian
2 may disclose such records to [~~the police, duly incorporated society for~~
3 ~~the prevention of cruelty to animals, peace officer, animal control~~
4 ~~officer, department of agriculture and markets, other appropriate~~
5 ~~government agency, or any agent thereof~~] any officer or agent authorized
6 pursuant to sections three hundred seventy-one and three hundred seven-
7 ty-three of the agriculture and markets law to respond to and investi-
8 gate complaints of animal cruelty. The identity of such veterinarian
9 making a disclosure of records pursuant to this paragraph shall only be
10 made available to an officer or agent authorized pursuant to section
11 three hundred seventy-one or three hundred seventy-three of the agricul-
12 ture and markets law.

13 (c) Any such veterinarian who reports an incident or discloses records
14 concerning a companion animal's condition and treatment pursuant to
15 paragraph (a) or (b) of this subdivision shall be entitled to receive
16 and be provided with, at no cost to such veterinarian, written or elec-
17 tronic documentation of such report by the agent or officer to whom such
18 report was made. Such report shall include but not be limited to the
19 date such report was made, the identity of the individual against whom
20 such report was made, the species and description of the animal about
21 which such report was made, the nature of the injuries to the animal and
22 the name and license number of the veterinarian who made such report.

23 § 2. This act shall take effect on the one hundred twentieth day after
24 it shall have become a law.