

STATE OF NEW YORK

3505

2023-2024 Regular Sessions

IN ASSEMBLY

February 3, 2023

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to requiring higher education research facilities to provide information to the department of education regarding dogs or cats available for adoption

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

1 Section 1. Subdivision 1 of section 239-b of the education law, as
2 added by chapter 240 of the laws of 2016, is amended and a new subdivi-
3 sion 4 is added to read as follows:

4 1. (a) A higher education research facility that receives public
5 money, including tax-exempt status, or a facility that provides research
6 in collaboration with a higher education facility shall after the
7 completion of any testing or research involving a dog or cat, assess the
8 health of the dog or cat and determine whether it is suitable for
9 adoption. Such facility shall thereafter make reasonable efforts,
10 including, but not limited to, efforts specified in paragraph (b) of
11 this subdivision, to offer for adoption the dog or cat determined to be
12 suitable for adoption, either through private placement or through an
13 animal rescue and shelter organization, a duly incorporated society for
14 the prevention of cruelty to animals, a duly incorporated humane socie-
15 ty, or a duly incorporated animal protective association that operates
16 physical animal sheltering facilities and offers household pets to the
17 public for adoption by way of an established adoption program, prior to
18 euthanizing such dog or cat.

19 (b) Such reasonable efforts by the research facility shall include,
20 but not be limited to:

21 i. Establishing a private placement process to provide for the
22 adoption of dogs and cats; and

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

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ii. Establishing a list of organizations, associations, and societies described in this section that are approved by the research facility and that may be willing to take a dog or cat from the research facility.

(c) All organizations, associations and societies selected by the research facility to adopt such animals shall be organizations, associations and societies that are exempt from taxes pursuant to paragraph (3) of subsection (c) of section 501 of the federal Internal Revenue Code, 26 U.S.C. 501, as from time to time amended.

(d) Nothing in this section shall create a duty upon such an organization, association or society to accept a dog or cat offered by a higher education research facility for adoption.

(e) A research facility subject to the provisions of this section that owns dogs or cats shall have a research facility adoption policy. The research facility adoption policy shall be made available on the research facility's website. For purposes of this section, "research facility adoption policy" shall mean an adoption policy for dogs and cats that details the specific steps that a research facility takes to provide for the adoption of a dog or cat after the completion of any testing or research involving the dog or cat who the attending or institutional veterinarian at the research facility determines is suitable for adoption.

4. On or before the first day of January next succeeding the chapter of the laws of two thousand twenty-three that amended this section, a higher education research facility described in subdivision one of this section shall annually submit a report to the commissioner which shall include, but not be limited to, the following information for the preceding year:

(a) The total number of dogs and cats owned by the research facility;

(b) The total number of dogs and cats used for testing or research that is conducted at the research facility;

(c) The total number of dogs and cats the research facility released for adoption through private placement;

(d) The total number of dogs and cats the research facility released for adoption to organizations, societies, and associations described in subdivision one of this section;

(e) The name and address of each such organization, society, and association to which a dog or cat was released by the research facility for adoption; and

(f) The name and address of each organization, society, and association with which the research facility has entered into an agreement under subdivision two of this section.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.