

825

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. DelMONTE, FIELDS, GORDON -- Multi-Sponsored by --
M. of A. KELLNER, MAGEE, MCENENY, REILLY, STIRPE -- read once and
referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to lost
hunting dogs

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

- 1 Section 1. Section 11-0923 of the environmental conservation law is
2 amended by adding a new subdivision 7 to read as follows:
3 7. ANY DOG THAT HAS BEEN RELEASED FROM THEIR CONFINEMENT FOR HUNTING
4 PURPOSES SHALL BE DEEMED TO BE UNDER THE REASONABLE CONTROL OF ITS OWNER
5 WHILE ENGAGED IN HUNTING OR RETURNING FROM HUNTING. THE OWNER OR TRAINER
6 OF A DOG THAT HAS BEEN RELEASED FROM THEIR CONFINEMENT FOR HUNTING
7 PURPOSES AND BECOMES TEMPORARILY LOST OR WANDERS FROM ITS OWNER OR
8 TRAINER WHILE HUNTING SHALL NOT BE DEEMED TO HAVE VIOLATED THE
9 PROVISIONS OF THIS SECTION.
10 IT SHALL BE THE DUTY OF ANY PEACE OFFICER, DOG WARDEN OR ANIMAL
11 CONTROL OFFICER TO MAKE A FAIR AND REASONABLE EFFORT TO DETERMINE WHETH-
12 ER ANY DOG FOUND APPARENTLY RUNNING AT LARGE IS A DOG WHICH HAS BECOME
13 LOST TEMPORARILY OR WANDERED WHILE HUNTING FROM THE IMMEDIATE CONTROL OF
14 ITS OWNER OR TRAINER.
15 S 2. This act shall take effect immediately.

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

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