S T A T E O F N E W Y O R K

8303

2009-2010 Regular Sessions

I N A S S E M B L Y

May 13, 2009

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

AN ACT to amend the agriculture and markets law, in relation to deposits for the spaying and neutering of dogs and cats

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

Section 1. Subdivision 4 of section 377-a of the agriculture and markets law, as added by chapter 387 of the laws of 2001, is amended to read as follows:

4. Any deposit collected pursuant to paragraph (b) of subdivision two of this section that is not claimed within ninety days of its collection, or if the deposit is for an animal under six months of age, within sixty days after the animal has reached six months of age, SHALL BE REMITTED TO THE COMMISSIONER WHO shall [be deposited in] PAY THEM INTO the animal population control fund established pursuant to section ninety-seven-xx of the state finance law. THE DEPOSITS SHALL BE REMITTED TO THE COMMISSIONER ON A QUARTERLY BASIS ON OR BEFORE THE LAST DAY OF THE CALENDAR MONTH FOLLOWING EACH OF THE CALENDAR QUARTERS: JANUARY THROUGH MARCH, APRIL THROUGH JUNE, JULY THROUGH SEPTEMBER AND OCTOBER THROUGH DECEMBER. EACH REMITTANCE SHALL BE ACCOMPANIED BY A REPORT IN A FORM PRESCRIBED BY THE DEPARTMENT INDICATING THE NAME OF THE PERSON OR ENTITY THAT COLLECTED THE DEPOSIT, THE NUMBER AND AMOUNT OF ALL DEPOSITS COLLECTED FOR THE PRECEDING QUARTER, THE NUMBER AND AMOUNT OF DEPOSITS THAT WERE UNCLAIMED FOR THE PRECEDING QUARTER, THE TOTAL AMOUNT OF THE DEPOSITS BEING REMITTED FOR THE PRECEDING QUARTER AND SUCH OTHER INFORMATION AS THE DEPARTMENT REQUIRES.

Deposits collected pursuant to paragraph (b) of subdivision two of this section shall be refunded to the adopter upon presentation to the animal shelter, pound, dog control officer, humane society, dog and cat protective association, or duly incorporated society for the prevention of cruelty to animals of written documentation from a licensed veterina-

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

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rian that the dog or cat has been spayed or neutered, provided that the animal has been spayed or neutered within the time specified in the written agreement, or that because of old age or other health reasons, as certified by a licensed veterinarian examining the dog or cat, spaying or neutering would endanger the animal's life.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that effective immediately, the department of agriculture and markets is authorized to promulgate, amend or repeal any rule or regulation which it deems necessary or appropriate to implement this act.