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

4623

2009-2010 Regular Sessions

I N  S E N A T E

April 27, 2009

Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law and the general business law, in relation to local laws and the regulation of pet dealers

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

Section 1. Section 400-a of the agriculture and markets law, as added by chapter 259 of the laws of 2000, is amended to read as follows:

S 400-a. Preemption of local laws. The provisions of this article shall apply to all municipalities, including cities with a population of one million or more[, and shall supersede any local law, rule, regulation, or ordinance regulating or licensing pet dealers as defined in this article]. Nothing in this section shall be construed to limit or restrict any municipality from ENACTING OR enforcing any local law, rule, regulation or ordinance [of general application to businesses governing public health, safety or the rights of consumers] GOVERNING PET DEALERS PROVIDED, HOWEVER, THAT NO SUCH LOCAL LAW, RULE, REGULATION OR ORDINANCE SHALL BE LESS STRINGENT THAN THIS ARTICLE.

S 2. Section 753-e of the general business law, as added by chapter 259 of the laws of 2000, is amended to read as follows:

S 753-e. Preemption of local laws. The provisions of this article shall apply to all municipalities, including cities with a population of one million or more[, and shall supersede any local law, rule, regulation, or ordinance regulating or licensing pet dealers as defined in this article]. Nothing in this section shall be construed to limit or restrict any municipality from ENACTING OR enforcing any local law, rule, regulation or ordinance [of general application to businesses governing public health, safety or the rights of consumers] GOVERNING PET DEALERS PROVIDED, HOWEVER, THAT NO SUCH LOCAL LAW, RULE, REGULATION OR ORDINANCE SHALL BE LESS STRINGENT THAN THIS ARTICLE.

S 3. 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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