

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

5675--B

2009-2010 Regular Sessions

I N S E N A T E

May 27, 2009

Introduced by Sen. THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Agriculture in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law, in relation to training, examination and certification of dog control officers

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

1 Section 1. The agriculture and markets law is amended by adding a new
2 section 114-a to read as follows:
3 S 114-A. TRAINING AND CERTIFICATION OF DOG CONTROL OFFICERS. 1. THE
4 DEPARTMENT SHALL DEVELOP A TRAINING, EXAMINATION AND CERTIFICATION
5 PROGRAM FOR DOG CONTROL OFFICERS, POLICE OFFICERS AND PEACE OFFICERS WHO
6 DEAL WITH ANIMAL CONTROL OR ANIMAL ABUSE ISSUES.
7 2. (A) EXCEPT AS IS PROVIDED IN PARAGRAPH (B) OF THIS SUBDIVISION, ANY
8 PERSON APPOINTED AS A DOG CONTROL OFFICER SHALL, BEFORE APPOINTMENT OR
9 WITHIN ONE YEAR THEREAFTER, COMPLETE A COURSE OF TRAINING APPROVED BY
10 THE DEPARTMENT AND SHALL TAKE AND PASS AN EXAMINATION GIVEN BY THE
11 DEPARTMENT. ANY PERSON CURRENTLY EMPLOYED AS A DOG CONTROL OFFICER SHALL
12 COMPLETE THE TRAINING AND TAKE AND PASS THE EXAMINATION NO LATER THAN
13 DECEMBER FIRST, TWO THOUSAND ELEVEN. THE TRAINING AND CERTIFICATION
14 SHALL BE AVAILABLE TO, BUT NOT REQUIRED FOR POLICE OFFICERS OR PEACE
15 OFFICERS WHO DEAL WITH ANIMAL CONTROL OR ANIMAL ABUSE ISSUES.
16 (B) A VETERINARIAN LICENSED PURSUANT TO ARTICLE ONE HUNDRED
17 THIRTY-FIVE OF THE EDUCATION LAW SHALL BE EXEMPT FROM THE TRAINING
18 REQUIRED BY SUBDIVISION ONE OF THIS SECTION.
19 3. THE TRAINING PROGRAM REQUIRED BY THIS SECTION SHALL INCLUDE TRAIN-
20 ING REGARDING:

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

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1 (A) THE SCOPE OF THE RESPONSIBILITIES OF THE DOG CONTROL OFFICER;
2 (B) APPROPRIATE AND HUMANE HANDLING OF ANIMALS, INCLUDING TRANSPORTING
3 ANIMALS SAFELY, GENERAL ANIMAL CONTROL AND PROPER METHODS FOR CAPTURING
4 ANIMALS;
5 (C) THE LAWS AND RULES REGARDING DOG LICENSING, AND SEARCH AND
6 SEIZURE;
7 (D) CRISIS INTERVENTION AND OFFICER SAFETY;
8 (E) IDENTIFICATION OF RESOURCES TO HOUSE ANIMALS WHILE A CRIMINAL CASE
9 IS RESOLVED;
10 (F) REPORT WRITING AND COURTROOM TESTIMONY;
11 (G) DISPOSAL OF THE REMAINS OF DECEASED ANIMALS;
12 (H) IDENTIFICATION AND NOTIFICATION OF AN ANIMAL'S OWNER; AND
13 (I) OTHER RELEVANT PROVISIONS OF THIS CHAPTER.
14 4. THE GOVERNING BODY OF A POLITICAL SUBDIVISION THAT APPOINTS A DOG
15 CONTROL OFFICER WHO FAILS TO OBTAIN CERTIFICATION WITHIN THE REQUIRED
16 TIME SHALL TERMINATE THE APPOINTMENT.
17 5. THE DEPARTMENT SHALL: (A) DETERMINE THE FORMAT OF THE TRAINING AND
18 CERTIFICATION EXAMINATIONS, INCLUDING AN INTERNET-BASED FORMAT IF THE
19 DEPARTMENT DEEMS SUCH TO BE APPROPRIATE;
20 (B) ESTABLISH THE SCHEDULE FOR OFFERING TRAINING AND EXAMINATIONS;
21 (C) ESTABLISH SUCH FEES AS THE DEPARTMENT DEEMS NECESSARY FOR TRAIN-
22 ING, ADMISSION TO THE EXAMINATION, RE-EXAMINATION AND CERTIFICATION; AND
23 (D) PROMULGATE RULES, REGULATIONS AND STANDARDS REGARDING THE APPLICA-
24 TION OF THE TRAINING AND CERTIFICATION TOWARD RECERTIFICATION OR CONTIN-
25 UING EDUCATION REQUIREMENTS.
26 S 2. This act shall take effect July 1, 2011, provided that, effective
27 immediately, the addition, amendment and/or repeal of any rule or regu-
28 lation necessary for the implementation of this act on its effective
29 date are authorized and directed to be made and completed on or before
30 such effective date.