

5192

2009-2010 Regular Sessions

I N   S E N A T E

April 27, 2009

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

AN ACT to amend the public health law, in relation to authorizing the seizure and confinement of animals in connection with the prevention of rabies

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

1     Section 1. Subdivision 7 of section 2140 of the public health law, as  
2     added by chapter 180 of the laws of 2002, is amended to read as follows:  
3     7. "Confinement and observation" refers to the conditions under which  
4     apparently healthy dogs, cats, domesticated ferrets, and domestic live-  
5     stock, which are not exhibiting symptoms of rabies, must be maintained  
6     TO DETERMINE RABIES STATUS if such an animal has potentially exposed a  
7     person to rabies, and the owner wishes to avoid euthanizing and testing  
8     the animal. [The] IF THE COUNTY HEALTH AUTHORITY DOES NOT APPROVE HOME  
9     CONFINEMENT, THE ten day confinement and observation period must take  
10    place, at owner's expense, at an appropriate facility such as an animal  
11    shelter, veterinarian's office, kennel or farm [for an animal not  
12    actively immunized against rabies at the time of the bite. County health  
13    departments may allow home confinements and observation for animals  
14    actively immunized. Confinement and observation includes]. THE CONFINE-  
15    MENT MUST INCLUDE PROVISIONS TO PREVENT ESCAPE OF THE ANIMAL DURING THE  
16    CONFINEMENT PERIOD AND TO MINIMIZE CONTACTS WITH HUMANS AND OTHER  
17    ANIMALS, AS WELL AS verification by the county health authority or their  
18    designee both during and at the end of the ten day period that the  
19    animal cannot [or] AND has not escaped and has remained healthy.  
20    S 2. This act shall take effect on the ninetieth day after it shall  
21    have become a law.

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

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