

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

369--A

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. HOYT, BARRON, COOK -- Multi-Sponsored by -- M. of A. BRENNAN, JEFFRIES, SCHIMEL -- read once and referred to the Committee on Agriculture -- 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 PROVIDED IN PARAGRAPH (B) OF THIS SUBDIVISION, ANY
8 PERSON APPOINTED AS A DOG CONTROL OFFICER SHALL, WHERE REQUIRED BY THE
9 GOVERNING BODY OF ANY POLITICAL SUBDIVISION, COMPLETE A COURSE OF TRAIN-
10 ING APPROVED BY THE DEPARTMENT AND SHALL TAKE AND PASS AN EXAMINATION
11 GIVEN BY THE DEPARTMENT. ANY PERSON CURRENTLY EMPLOYED AS A DOG CONTROL
12 OFFICER SHALL, WHERE REQUIRED BY THE GOVERNING BODY OF ANY POLITICAL
13 SUBDIVISION, COMPLETE THE TRAINING AND TAKE AND PASS THE EXAMINATION NO
14 LATER THAN DECEMBER FIRST, TWO THOUSAND THIRTEEN. THE TRAINING AND
15 CERTIFICATION SHALL BE AVAILABLE TO, BUT NOT REQUIRED FOR POLICE OFFI-
16 CERS OR PEACE OFFICERS WHO DEAL WITH ANIMAL CONTROL OR ANIMAL ABUSE
17 ISSUES.
18 (B) A VETERINARIAN LICENSED PURSUANT TO ARTICLE ONE HUNDRED
19 THIRTY-FIVE OF THE EDUCATION LAW SHALL BE EXEMPT FROM THE TRAINING
20 REQUIRED BY SUBDIVISION ONE OF THIS SECTION.
21 3. THE TRAINING PROGRAM REQUIRED BY THIS SECTION SHALL INCLUDE TRAIN-
22 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. GOVERNING BODIES OF POLITICAL SUBDIVISIONS THAT REQUIRE TRAINING
15 AND CERTIFICATION PURSUANT TO SUBDIVISION TWO OF THIS SECTION SHALL
16 TERMINATE THE APPOINTMENT OF ANY DOG CONTROL OFFICER WHO FAILS TO OBTAIN
17 SUCH TRAINING AND CERTIFICATION WITHIN THE REQUIRED PERIOD OF TIME.
18 5. THE DEPARTMENT SHALL: (A) DETERMINE THE FORMAT OF THE TRAINING AND
19 CERTIFICATION EXAMINATIONS, INCLUDING AN INTERNET-BASED FORMAT IF THE
20 DEPARTMENT DEEMS SUCH TO BE APPROPRIATE;
21 (B) ESTABLISH THE SCHEDULE FOR OFFERING TRAINING AND EXAMINATIONS;
22 (C) ESTABLISH SUCH FEES AS THE DEPARTMENT DEEMS NECESSARY FOR TRAIN-
23 ING, ADMISSION TO THE EXAMINATION, RE-EXAMINATION AND CERTIFICATION; AND
24 (D) PROMULGATE RULES, REGULATIONS AND STANDARDS REGARDING THE APPLICA-
25 TION OF THE TRAINING AND CERTIFICATION TOWARD RECERTIFICATION OR CONTIN-
26 UING EDUCATION REQUIREMENTS.
27 S 2. This act shall take effect July 1, 2013, provided that, effective
28 immediately, the addition, amendment and/or repeal of any rule or regu-
29 lation necessary for the implementation of this act on its effective
30 date are authorized to be made on or before such effective date.