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

7502--B

Cal. No. 250

2011-2012 Regular Sessions

I N A S S E M B L Y

May 6, 2011

Introduced by M. of A. PAULIN, ROSENTHAL, MAISEL, BRONSON, CASTRO, COOK, LUPARDO, M. MILLER, MILLMAN, STEVENSON, WEPRIN, HOOPER -- Multi-Sponsored by -- M. of A. CAMARA, GOTTFRIED, McENENY, THIELE, TITONE, WEISENBERG -- read once and referred to the Committee on Agriculture -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the special order of third reading

AN ACT to amend the agriculture and markets law, in relation to prohibiting dangerous practices at companion animal grooming facilities

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

Section 1. The agriculture and markets law is amended by adding a new section 353-e to read as follows:

S 353-E. COMPANION ANIMAL GROOMING FACILITIES; PROHIBITED PRACTICES.

1. AS USED IN THIS SECTION:

(A) "CAGE AND BOX DRYER" MEANS A PRODUCT THAT IS ATTACHED TO OR NEAR A CAGE OR BOX FOR THE PURPOSE OF DRYING OR AIDING IN THE DRYING OF A COMPANION ANIMAL CONTAINED IN A CAGE OR BOX, AND WHICH IS CAPABLE OF FUNCTIONING WITHOUT A PERSON MANUALLY HOLDING A DRYER.

(B) "COMPANION ANIMAL GROOMING FACILITY" MEANS AN ESTABLISHMENT WHERE A COMPANION ANIMAL MAY BE BATHED, BRUSHED, CLIPPED OR STYLED FOR A FEE.

2. NO PERSON SHALL USE A CAGE OR BOX DRYER WHICH CONTAINS A HEATING ELEMENT WITH THE HEATING ELEMENT TURNED ON FOR THE PURPOSE OF DRYING OR AIDING IN THE DRYING OF A COMPANION ANIMAL.

3. ANY VIOLATION OF THIS SECTION SHALL BE PUNISHABLE BY A CIVIL PENALTY OF NOT LESS THAN TWO HUNDRED FIFTY DOLLARS NOR MORE THAN FIVE HUNDRED DOLLARS FOR EACH VIOLATION.

4. NOTHING CONTAINED IN THIS SECTION SHALL LIMIT OR ABROGATE ANY CLAIM OR CAUSE OF ACTION ANY PERSON MAY HAVE UNDER COMMON LAW OR BY STATUTE.

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

LBD10209-07-2

THE PROVISIONS OF THIS SECTION SHALL BE IN ADDITION TO ANY SUCH COMMON LAW AND STATUTORY REMEDIES.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.