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3820

2011-2012 Regular Sessions

I N   S E N A T E

March 7, 2011
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Introduced by Sen. ADAMS -- 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, in relation to the
  euthanasia of horses

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

 1   Section 1. Section 374 of the agriculture and markets law is amended
 2 by adding a new subdivision 4-a to read as follows:
 3   4-A. A. EXCEPT AS PROVIDED IN PARAGRAPH B OF THIS SUBDIVISION, NO
 4 STATE AGENCY, DEPARTMENT OR ANY POLITICAL SUBDIVISION THEREOF WHICH OWNS
 5 A HORSE SHALL INDEPENDENTLY EUTHANIZE SUCH HORSE UNLESS SUCH STATE AGEN-
 6 CY, DEPARTMENT OR POLITICAL SUBDIVISION THEREOF HAS FIRST MADE A REASON-
 7 ABLE ATTEMPT TO DONATE SUCH HORSE TO A NOT-FOR-PROFIT ORGANIZATION,
 8 WHERE SUCH NOT-FOR-PROFIT ORGANIZATION AGREES TO PROVIDE FOR THE FEED-
 9 ING, CARE AND MAINTENANCE OF SUCH HORSE. UPON SATISFACTION OF THE
10 PROVISIONS OF THIS PARAGRAPH, SUCH STATE AGENCY, DEPARTMENT OR POLITICAL
11 SUBDIVISION THEREOF WHICH OWNS A HORSE MAY INDEPENDENTLY EUTHANIZE SUCH
12 HORSE, PROVIDED THAT SUCH HORSE IS EUTHANIZED BY A CERTIFIED EUTHANASIA
13 TECHNICIAN, A LICENSED VETERINARIAN OR A LICENSED VETERINARIAN TECHNI-
14 CIAN IN A MANNER CONSISTENT WITH THE PROVISIONS OF SUBDIVISION THREE OF
15 THIS SECTION.
16   B. NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH A OF THIS SUBDIVISION,
17 A STATE AGENCY, DEPARTMENT OR POLITICAL SUBDIVISION THEREOF WHICH OWNS A
18 HORSE MAY EUTHANIZE SUCH HORSE BY GUNSHOT AS AN EMERGENCY MEASURE FOR AN
19 ANIMAL THAT IS POSING AN IMMINENT THREAT OF SERIOUS PHYSICAL INJURY TO A
20 PERSON OR TO ANOTHER ANIMAL AND WHERE THE USE OF THE METHOD OF EUTHANA-
21 SIA SET FORTH IN SUBDIVISION THREE OF THIS SECTION IS RENDERED IMPOSSI-
22 BLE OR WHERE A SEVERELY INJURED HORSE IS SUFFERING AND CANNOT OTHERWISE
23 BE AIDED.
24   S 2. This act shall take effect on the thirtieth day after it shall
25 have become a law.

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