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

3820

2011-2012 Regular Sessions

I N S E N A T E

March 7, 2011

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 374 of the agriculture and markets law is amended by adding a new subdivision 4-a to read as follows:

4-A. A. EXCEPT AS PROVIDED IN PARAGRAPH B OF THIS SUBDIVISION, NO STATE AGENCY, DEPARTMENT OR ANY POLITICAL SUBDIVISION THEREOF WHICH OWNS A HORSE SHALL INDEPENDENTLY EUTHANIZE SUCH HORSE UNLESS SUCH STATE AGENCY, DEPARTMENT OR POLITICAL SUBDIVISION THEREOF HAS FIRST MADE A REASONABLE ATTEMPT TO DONATE SUCH HORSE TO A NOT-FOR-PROFIT ORGANIZATION, WHERE SUCH NOT-FOR-PROFIT ORGANIZATION AGREES TO PROVIDE FOR THE FEEDING, CARE AND MAINTENANCE OF SUCH HORSE. UPON SATISFACTION OF THE PROVISIONS OF THIS PARAGRAPH, SUCH STATE AGENCY, DEPARTMENT OR POLITICAL SUBDIVISION THEREOF WHICH OWNS A HORSE MAY INDEPENDENTLY EUTHANIZE SUCH HORSE, PROVIDED THAT SUCH HORSE IS EUTHANIZED BY A CERTIFIED EUTHANASIA TECHNICIAN, A LICENSED VETERINARIAN OR A LICENSED VETERINARIAN TECHNICIAN IN A MANNER CONSISTENT WITH THE PROVISIONS OF SUBDIVISION THREE OF THIS SECTION.

B. NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH A OF THIS SUBDIVISION, A STATE AGENCY, DEPARTMENT OR POLITICAL SUBDIVISION THEREOF WHICH OWNS A HORSE MAY EUTHANIZE SUCH HORSE BY GUNSHOT AS AN EMERGENCY MEASURE FOR AN ANIMAL THAT IS POSING AN IMMINENT THREAT OF SERIOUS PHYSICAL INJURY TO A PERSON OR TO ANOTHER ANIMAL AND WHERE THE USE OF THE METHOD OF EUTHANASIA SET FORTH IN SUBDIVISION THREE OF THIS SECTION IS RENDERED IMPOSSIBLE OR WHERE A SEVERELY INJURED HORSE IS SUFFERING AND CANNOT OTHERWISE BE AIDED.

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

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

LBD07562-01-1