

7667

I N S E N A T E

June 12, 2012

Introduced by COMMITTEE ON RULES -- read twice and ordered printed, and
when printed to be committed to the Committee on Rules

AN ACT to amend chapter 115 of the laws of 1894, relating to the better protection of lost and strayed animals and for securing the rights of owners thereof, in relation to licensing of dogs in a certain city; to amend the administrative code of the city of New York, in relation to the animal population control fund; and to repeal certain provisions of chapter 115 of the laws of 1894, relating to the better protection of lost or strayed animals and for securing the rights of owners thereof, relating to licensing of dogs in a certain city

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

1 Section 1. Sections 1, 2, 2-a, 3, 3-a and 4 of chapter 115 of the laws
2 of 1894, relating to the better protection of lost and strayed animals
3 and for securing the rights of owners thereof, are REPEALED and four new
4 sections 1, 2, 3 and 4 are added to read as follows:

5 SECTION 1. THE PROVISIONS OF THIS ACT SHALL APPLY IN THE CITY OF NEW
6 YORK.

7 S 2. (1) EVERY PERSON WHO OWNS OR HARBORS ONE OR MORE DOGS WITHIN THE
8 CORPORATE LIMITS OF SUCH CITY, SHALL PROCURE A LICENSE FOR EACH DOG AS
9 PROVIDED IN THIS ACT. IN APPLYING FOR SUCH LICENSE TO BE ISSUED OR
10 RENEWED, THE APPLICANT SHALL PROVIDE IN WRITING THE NAME, SEX, BREED,
11 AGE, COLOR AND MARKINGS OF THE DOG FOR WHICH THE LICENSE IS TO BE
12 PROCURED OR RENEWED AND SUCH INFORMATION THAT THE COMMISSIONER OF HEALTH
13 AND MENTAL HYGIENE OF SUCH CITY DEEMS NECESSARY TO NOTIFY THE APPLICANT
14 WHEN THE LICENSE IS DUE TO BE RENEWED OR TO CONTACT THE APPLICANT IN THE
15 EVENT THE DOG IS FOUND AFTER BECOMING LOST OR STRAYED. SUCH COMMISSIONER
16 MAY ISSUE RULES REQUIRING PROOF OF RABIES VACCINATION, OR AN AFFIRMATION
17 THAT SUCH VACCINE HAS BEEN ADMINISTERED, AS PART OF THE APPLICATION FOR
18 SUCH LICENSE TO BE ISSUED OR RENEWED.

19 (2) LICENSES ISSUED OR RENEWED UNDER THIS ACT SHALL BE VALID FOR A
20 TERM OF ONE YEAR OR, PURSUANT TO RULES ISSUED BY SUCH COMMISSIONER, FOR
21 A PERIOD GREATER THAN ONE YEAR.

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

LBD01102-08-2

(3) THE FEES FOR A LICENSE ISSUED OR RENEWED UNDER THIS ACT SHALL BE SET BY LOCAL LAW, SUBJECT TO THE PROVISIONS OF THIS SUBDIVISION. THERE SHALL BE A BASE FEE FOR A LICENSE TO BE ISSUED OR RENEWED FOR ANY DOG. THERE SHALL BE AN ADDITIONAL FEE FOR A LICENSE TO BE ISSUED OR RENEWED FOR A NON-STERILIZED DOG. THE AMOUNT OF SUCH ADDITIONAL FEE SHALL BE AT LEAST EIGHTY-FIVE PERCENT OF THE AMOUNT OF THE BASE FEE. APPLICANTS SHALL PAY THE ADDITIONAL FEE UNLESS THEIR APPLICATION IS ACCOMPANIED BY:

(I) A STATEMENT SIGNED BY A LICENSED VETERINARIAN PROVIDING THAT THE DOG HAS BEEN STERILIZED OR THAT SUCH VETERINARIAN HAS EXAMINED THE DOG AND FOUND THAT BECAUSE OF OLD AGE OR OTHER PERMANENT MEDICAL CONDITION, THE LIFE OF THE DOG WOULD BE ENDANGERED BY STERILIZATION, OR (II) A STATEMENT, APPROVED AS TO FORM BY SUCH COMMISSIONER AND AFFIRMED BY THE APPLICANT, THAT THE DOG HAS BEEN STERILIZED.

(4) THE AMOUNT COLLECTED FOR THE ADDITIONAL FEE CHARGED FOR A LICENSE TO BE ISSUED OR RENEWED FOR AN UNSTERILIZED DOG AS PROVIDED IN SUBDIVISION THREE OF THIS SECTION SHALL BE FORWARDED TO THE CITY COMPTROLLER FOR DEPOSIT IN THE ANIMAL POPULATION CONTROL FUND CREATED PURSUANT TO SECTION 17-812 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK.

(5) WHEN A LICENSE IS ISSUED OR RENEWED FOR A TERM OTHER THAN ONE YEAR, THE FEES SHALL BE A PRORATED AMOUNT OF THE FEES PER YEAR SET AS PROVIDED IN SUBDIVISION THREE OF THIS SECTION.

(6) ANY PERSON WHO FAILS TO RENEW A LICENSE PRIOR TO ITS DATE OF EXPIRATION MAY BE REQUIRED TO PAY A LATE FEE UPON RENEWAL OF A LICENSE, WITH THE AMOUNT OF SUCH LATE FEE SET BY LOCAL LAW. SUCH AMOUNT SHALL BE NO MORE THAN TWENTY PERCENT OF THE AMOUNT OF THE BASE FEE FOR A LICENSE TO BE ISSUED OR RENEWED AS PROVIDED IN SUBDIVISION THREE OF THIS SECTION.

(7) THE APPLICATION FOR A LICENSE TO BE ISSUED OR RENEWED SHALL BE ACCOMPANIED BY A STATEMENT AS PRESCRIBED BY SUCH COMMISSIONER, NOTIFYING THE APPLICANT THAT HE OR SHE MAY SUBMIT, ALONG WITH THE FEES REQUIRED BY THIS SECTION, AN ADDITIONAL AMOUNT TO BE UTILIZED FOR THE PURPOSE OF FUNDING LOW-COST STERILIZATION SERVICES FROM THE ANIMAL POPULATION CONTROL FUND CREATED PURSUANT TO SECTION 17-812 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK. ANY ADDITIONAL AMOUNT SUBMITTED PURSUANT TO THIS SUBDIVISION SHALL BE DEPOSITED IN SUCH FUND.

(8) FROM THE FEES COLLECTED PURSUANT TO THIS ACT FOR EACH DOG LICENSE ISSUED OR RENEWED, THE SUM OF TEN CENTS ANNUALLY FOR THE TERM OF SUCH LICENSE SHALL BE REMITTED BY SUCH CITY TO THE COMMISSIONER OF AGRICULTURE AND MARKETS ON OR BEFORE THE FIFTEENTH DAY OF EACH MONTH, WITH SUCH SUM TO BE USED TO FUND RESEARCH INTO DISEASES OF DOGS AND THE SEARCH FOR AND THE STUDY OF VIRUSES THAT AFFECT PEOPLE AND ANIMALS.

(9) THE AMOUNT OF ANY FEE CHARGED PURSUANT TO THIS ACT SHALL NOT BE BASED IN WHOLE OR PART ON THE BREED OF THE DOG.

S 3. (1) ANY PERSON WHO IS REQUIRED TO OBTAIN OR RENEW A DOG LICENSE PURSUANT TO THIS ACT BUT FAILS TO DO SO MAY BE ISSUED A NOTICE OF VIOLATION, RETURNABLE TO THE ENVIRONMENTAL CONTROL BOARD OR HEALTH TRIBUNAL OF THE OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS OF THE CITY OF NEW YORK, AND MAY BE SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN SEVENTY-FIVE DOLLARS FOR THE FIRST VIOLATION AND NO MORE THAN ONE HUNDRED DOLLARS WHEN SUCH PERSON WAS FOUND TO HAVE VIOLATED THIS SECTION WITHIN THE PRECEDING FIVE YEARS. SUCH NOTICE OF VIOLATION MAY BE ISSUED BY ANY OFFICER OR AGENT OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE OF SUCH CITY, OR ANY OTHER AGENCY OR ENTITY DESIGNATED BY THE COMMISSIONER OF HEALTH AND MENTAL HYGIENE OR SUCH CITY, WHEN SUCH OFFICER OR AGENT OBSERVES THE DOG FOR WHICH SUCH LICENSE HAS NOT BEEN OBTAINED OR RENEWED.

1 (2) NOTWITHSTANDING SUBDIVISION ONE OF THIS SECTION, SUCH NOTICE OF
2 VIOLATION MAY NOT BE ISSUED TO A PERSON WHEN SUCH PERSON IS IN THE
3 COURSE OF OBTAINING OR RENEWING A LICENSE FOR THE DOG FOR WHICH THE
4 NOTICE OF VIOLATION WOULD BE ISSUED. IT SHALL BE AN AFFIRMATIVE DEFENSE
5 TO ANY SUCH VIOLATION THAT: (I) THE PERSON REQUIRED TO OBTAIN OR RENEW A
6 DOG LICENSE DULY APPLIED FOR SUCH LICENSE OR RENEWAL PRIOR TO THE DATE
7 OF THE VIOLATION BUT THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE OF SUCH
8 CITY HAD NOT ISSUED OR RENEWED SUCH LICENSE; OR (II) SUCH PERSON HAD
9 PREVIOUSLY PROCURED A LICENSE THAT WAS VALID FOR A TERM THAT ENDED NOT
10 MORE THAN THIRTY DAYS BEFORE SUCH NOTICE OF VIOLATION WAS ISSUED AND
11 SUCH PERSON DULY APPLIED FOR RENEWAL OF SUCH LICENSE SUBSEQUENT TO SUCH
12 NOTICE OF VIOLATION BEING ISSUED.

13 (3) THREE QUARTERS OF ANY AMOUNT PAID AS A PENALTY FOR A VIOLATION
14 PURSUANT TO THIS SECTION SHALL BE FORWARDED TO THE CITY COMPTROLLER FOR
15 DEPOSIT IN THE ANIMAL POPULATION CONTROL FUND CREATED PURSUANT TO
16 SECTION 17-812 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, AND
17 THE REMAINDER SHALL BE USED SOLELY FOR CARRYING OUT THE PROVISIONS OF
18 THIS ACT, ESTABLISHING, MAINTAINING, OR FUNDING SHELTERS FOR LOST,
19 STRAYED, OR HOMELESS ANIMALS, PROVIDING OR FUNDING PUBLIC EDUCATION
20 REGARDING RESPONSIBLE ANIMAL CARE AND DOG LICENSING REQUIREMENTS, AND
21 CONDUCTING OTHER ANIMAL CARE AND CONTROL ACTIVITIES.

22 S 4. (1) WITH EACH LICENSE ISSUED OR RENEWED UNDER THIS ACT, THE
23 DEPARTMENT OF HEALTH AND MENTAL HYGIENE OF SUCH CITY SHALL SUPPLY THE
24 APPLICANT WITH A CERTIFICATE OF LICENSE OR RENEWAL STATING THE NAME AND
25 ADDRESS OF THE OWNER OF THE DOG AND THE NUMBER OF SUCH LICENSE OR
26 RENEWAL.

27 (2) EVERY DOG LICENSED UNDER THIS ACT SHALL, AT ALL TIMES, HAVE A
28 COLLAR ABOUT ITS NECK WITH A TAG MADE OF METAL OR OTHER DURABLE MATERIAL
29 ATTACHED THERETO, BEARING THE NUMBER OF THE LICENSE. SUCH TAG SHALL BE
30 SUPPLIED TO THE OWNER BY SUCH DEPARTMENT. SUCH DEPARTMENT SHALL PROVIDE
31 NOTICE WITH EACH SUCH TAG THAT ANYONE WHO SHALL USE A LICENSE TAG ON A
32 DOG FOR WHICH IT WAS NOT ISSUED SHALL BE DEEMED GUILTY OF A MISDEMEANOR
33 AS PROVIDED IN SECTION NINE OF THIS ACT. NOTHING IN THIS ACT SHALL
34 PREVENT SUCH DEPARTMENT FROM ISSUING SPECIALTY TAGS WHICH, FOR AN ADDI-
35 TIONAL COST SET BY LOCAL LAW, OWNERS MAY PURCHASE IN LIEU OF THE STAND-
36 ARD TAGS ISSUED PURSUANT TO THIS SECTION. THE COMMISSIONER OF HEALTH
37 AND MENTAL HYGIENE OF SUCH CITY MAY ISSUE RULES REQUIRING THAT DOGS
38 LICENSED UNDER THIS ACT SHALL HAVE ATTACHED TO SUCH COLLAR A TAG INDI-
39 CATING THAT A RABIES VACCINATION HAS BEEN ADMINISTERED.

40 (3) SUCH DEPARTMENT MAY ISSUE REPLACEMENTS FOR TAGS THAT ARE LOST AND
41 MAY REQUIRE REASONABLE PROOF OF LOSS OF THE ORIGINAL AND PAYMENT OF A
42 SUM, SET BY LOCAL LAW, EQUAL TO THE COST OF REPLACEMENT.

43 (4) ON OR ABOUT THE THIRTIETH DAY BEFORE THE END OF THE TERM FOR WHICH
44 A LICENSE ISSUED OR RENEWED UNDER THIS ACT SHALL BE VALID, SUCH DEPART-
45 MENT SHALL NOTIFY THE LICENSEE BY MAIL OR OTHER MEANS, USING THE CONTACT
46 INFORMATION PROVIDED PURSUANT TO SUBDIVISION ONE OF SECTION TWO OF THIS
47 ACT, OF THE DATE BY WHICH RENEWAL IS REQUIRED, THE MANNER IN WHICH THE
48 LICENSEE MAY APPLY FOR RENEWAL, THE FEES ASSOCIATED WITH ON-TIME AND
49 LATE RENEWAL RESPECTIVELY, AND THE PENALTIES TO WHICH THE LICENSEE MAY
50 BE SUBJECT UNDER SECTION THREE OF THIS ACT IN THE EVENT HE OR SHE FAILS
51 TO RENEW SUCH LICENSE.

52 S 2. Section 8 of chapter 115 of the laws of 1894, relating to the
53 better protection of lost and strayed animals and for securing the
54 rights of owners thereof, is amended to read as follows:

55 S 8. The [American society for the prevention of cruelty to animals]
56 DEPARTMENT OF HEALTH AND MENTAL HYGIENE OF SUCH CITY is hereby empowered

1 and authorized to carry out the provisions of this act, and [the said
2 society] SUCH DEPARTMENT is further authorized to issue AND RENEW
3 licenses [and renewals], and to collect the fees [for such,] SET FORTH
4 IN THIS ACT OR OTHERWISE ESTABLISHED as [is herein] prescribed[, which
5 fees are to] IN THIS ACT. SUCH FEES, EXCLUDING THE ADDITIONAL FEES
6 CHARGED FOR LICENSES TO BE ISSUED OR RENEWED FOR UNSTERILIZED DOGS
7 PURSUANT TO SUBDIVISION THREE OF SECTION TWO OF THIS ACT AND THE AMOUNTS
8 SPECIFIED IN SUBDIVISION EIGHT OF SECTION TWO OF THIS ACT, SHALL be used
9 [by said society towards defraying the] TO DEFRAY SUCH CITY'S cost of
10 carrying out the provisions of this act [and mainatining a shelter],
11 ESTABLISHING, MAINTAINING, OR FUNDING SHELTERS for lost, strayed or
12 homeless animals, AND PROVIDING OR FUNDING PUBLIC EDUCATION REGARDING
13 RESPONSIBLE ANIMAL CARE AND DOG LICENSING REQUIREMENTS.

14 S 3. Sections 8-a and 8-c of chapter 115 of the laws of 1894, relating
15 to the better protection of lost and strayed animals and for securing
16 the rights of owners thereof, are REPEALED and section 8-b, as added by
17 chapter 152 of the laws of 1971, is renumbered 8-a and amended to read
18 as follows:

19 S 8-a. (1) No person holding a permit issued pursuant to section
20 161.09 of the New York city health code OR A LICENSE ISSUED PURSUANT TO
21 ARTICLE 26-A OF THE AGRICULTURE AND MARKETS LAW shall sell OR TRANSFER
22 OWNERSHIP OF a dog IN SUCH CITY without first requiring the purchaser OR
23 OTHER NEW OWNER to submit an application for a dog license and to pay
24 all required fees, unless such purchaser OR OTHER NEW OWNER shall
25 execute and submit to such seller OR TRANSFEROR a written statement that
26 the dog to be purchased OR TRANSFERRED is to be harbored outside [the]
27 SUCH city. Such applications and written statements shall be on forms
28 furnished by the [society] DEPARTMENT OF HEALTH AND MENTAL HYGIENE OF
29 SUCH CITY and shall, within ten days after execution by a purchaser OR
30 OTHER NEW OWNER, be forwarded by the seller OR TRANSFEROR to [the socie-
31 ty] SUCH DEPARTMENT.

32 (2) Any seller OR TRANSFEROR processing an application pursuant to
33 SUBDIVISION ONE OR THREE OF this section shall, on or before the tenth
34 day of the month next succeeding the month in which collected, remit to
35 [the society] SUCH DEPARTMENT the amount of fees collected less [one
36 dollar] TEN PERCENT OF THE BASE FEES SET PURSUANT TO SUBDIVISION THREE
37 OF SECTION TWO OF THIS ACT for each application processed.

38 (3) THE COMMISSIONER OF HEALTH AND MENTAL HYGIENE OF SUCH CITY MAY
39 DESIGNATE ANY OTHER PERSON OR ENTITY, INCLUDING BUT NOT LIMITED TO A
40 PERSON OR ENTITY WHO PROVIDES CARE, TREATMENT, SERVICES, OR MERCHANDISE
41 FOR ANIMALS, TO PROCESS APPLICATIONS FOR DOG LICENSES, COLLECT FEES, AND
42 REMIT THE AMOUNT OF FEES COLLECTED LESS TEN PERCENT OF SUCH BASE FEE IN
43 ACCORDANCE WITH THIS SECTION AND OTHERWISE CONSISTENT WITH THE
44 PROVISIONS OF THIS ACT.

45 S 4. Section 9 of chapter 115 of the laws of 1894, relating to the
46 better protection of lost and strayed animals and for securing the
47 rights of owners thereof, as amended by section 32 of part T of chapter
48 59 of the laws of 2010, is amended to read as follows:

49 S 9. Any person or persons, who shall hinder or molest or interfere
50 with any officer or agent of [said society] THE DEPARTMENT OF HEALTH AND
51 MENTAL HYGIENE OF SUCH CITY in the performance of any duty enjoined by
52 this act, or who shall use a license tag on a dog for which it was not
53 issued, shall be deemed guilty of a misdemeanor. [Any person who owns or
54 harbors a dog without complying with the provisions of this act shall be
55 deemed guilty of disorderly conduct, and upon conviction thereof before
56 any magistrate shall be fined for such offense any sum not exceeding ten

1 dollars, and in default of payment of such fine may be committed to
2 prison by such magistrate until the same be paid, but such imprisonment
3 shall not exceed ten days.] Any person who for the purpose of partic-
4 ipating in the "animal population control program" shall falsify proof
5 of adoption from a pound, shelter, duly incorporated society for the
6 prevention of cruelty to animals, humane society or dog or cat protec-
7 tive association or who shall furnish any licensed veterinarian of this
8 state with inaccurate information concerning his or her residency or the
9 ownership of an animal or such person's authority to submit an animal
10 for a [spaying or neutering] STERILIZATION procedure established pursu-
11 ant to section 17-812 of the administrative code of the city of New York
12 and any veterinarian who shall furnish false information concerning an
13 animal sterilization fee schedule or an animal sterilization certificate
14 shall be guilty of a violation punishable by a fine of not more than two
15 hundred fifty dollars where prosecuted pursuant to the penal law, or
16 where prosecuted as an action to recover a civil penalty of not more
17 than two hundred fifty dollars. NOTICES OF VIOLATION MAY BE ISSUED
18 PURSUANT TO THIS ACT BY ANY OFFICER OR AGENT OF THE DEPARTMENT OF HEALTH
19 AND MENTAL HYGIENE OF SUCH CITY, OR ANY OTHER AGENCY OR ENTITY DESIG-
20 NATED BY THE COMMISSIONER OF HEALTH AND MENTAL HYGIENE OF SUCH CITY, AND
21 SUCH NOTICES OF VIOLATION SHALL BE RETURNABLE TO THE ENVIRONMENTAL
22 CONTROL BOARD OR TO THE HEALTH TRIBUNAL OF THE OFFICE OF ADMINISTRATIVE
23 TRIALS AND HEARINGS OF THE CITY OF NEW YORK.

24 S 5. Section 13 of chapter 115 of the laws of 1894, relating to the
25 better protection of lost and strayed animals and for securing the
26 rights of owners thereof, as renumbered by chapter 179 of the laws of
27 1987, is amended to read as follows:

28 S 13. [None of the provisions of this act shall apply to dogs owned
29 by] (1) AN EXEMPTION FROM THE DOG LICENSING REQUIREMENTS OF THIS ACT
30 SHALL BE PROVIDED FOR THE FOLLOWING PERSONS, ORGANIZATIONS, AND BUSI-
31 NESSES:

32 (A) INDIVIDUALS WHO ARE non-residents [passing through the] OF SUCH
33 city, [nor to dogs brought to the city and entered for exhibition at any
34 dog show] OR WHO ARE TEMPORARILY RESIDING IN SUCH CITY FOR A PERIOD NOT
35 TO EXCEED THIRTY DAYS;

36 (B) INDIVIDUALS FOR THE FIRST THIRTY DAYS AFTER BECOMING A RESIDENT OF
37 SUCH CITY; AND

38 (C) FOR DOGS IN THEIR TEMPORARY CUSTODY FOR THE PURPOSES OF REDEMPTION
39 BY AN OWNER, PLACEMENT FOR ADOPTION, BOARDING, GROOMING, TRAINING,
40 VETERINARY TREATMENT OR PROVISION OF OTHER SERVICES: ANIMAL SHELTERS,
41 DULY INCORPORATED HUMANE SOCIETIES, DULY INCORPORATED SOCIETIES FOR THE
42 PREVENTION OF CRUELTY TO ANIMALS, DULY INCORPORATED ANIMAL PROTECTIVE
43 ASSOCIATIONS, BOARDING KENNELS, GROOMING PARLORS, SALONS, PET SHOPS,
44 TRAINING ESTABLISHMENTS OR SIMILAR BUSINESSES OR ESTABLISHMENTS.

45 (2) An exemption from the dog license fees of section two of this act
46 shall be provided for guide dogs, hearing dogs, service dogs or police
47 work dogs, as such terms are defined in section 108 of the agriculture
48 and markets law.

49 S 6. Subdivision 2 of section 17-812 of the administrative code of the
50 city of New York, as added by section 28 of part T of chapter 59 of the
51 laws of 2010, is amended to read as follows:

52 2. Such fund shall consist of all moneys collected from the animal
53 population control program established pursuant to section 17-811 of
54 this chapter [and], ALL MONEYS COLLECTED FOR THE ADDITIONAL FEE CHARGED
55 FOR A LICENSE TO BE ISSUED OR RENEWED FOR AN UNSTERILIZED DOG PURSUANT
56 TO SUBDIVISION THREE OF section [three-a] TWO of chapter one hundred

1 fifteen of the laws of eighteen hundred ninety-four, THAT PORTION OF ANY
2 PENALTIES ASSESSED UNDER SECTION THREE OF SUCH CHAPTER DUE TO BE PAID TO
3 SUCH FUND, and all other moneys credited or transferred thereto from any
4 other fund or source pursuant to law.

5 S 7. This act shall take effect on the sixtieth day after it shall
6 have become a law, provided that upon the repeal of sections 1, 2, 2-a,
7 3, 3-a and 4 of chapter 115 of the laws of 1894, relating to the better
8 protection of lost and strayed animals and for securing the rights of
9 owners thereof, pursuant to section one of this act, any existing
10 licenses or renewals thereof issued under the provisions of such
11 sections shall continue to be valid for such terms as they were issued
12 under such provisions; and provided further that such licenses shall be
13 renewable pursuant to the new provisions added by section one of this
14 act; and provided further that upon the repeal of sections 1, 2, 2-a, 3,
15 3-a and 4 of chapter 115 of the laws of 1894, relating to the better
16 protection of lost and strayed animals and for securing the rights of
17 owners thereof, any license or renewal fees previously authorized and in
18 effect pursuant to such sections as of the date this act takes effect
19 shall remain in effect until new fees shall be adopted and take effect
20 pursuant to local law enacted in accordance with this act; and provided
21 further that notices of violation may not be issued pursuant to section
22 three of chapter 115 of the laws of 1894, relating to better protection
23 of lost and strayed animals and for securing the rights of owners there-
24 of, until the one hundred twentieth day after this act shall have become
25 a law.