

422

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. ROSENTHAL -- read once and referred to the
Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to rescued
companion animals

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

- 1 Section 1. The agriculture and markets law is amended by adding a new
2 section 356-a to read as follows:
3 S 356-A. EXAMINATION OF RESCUED COMPANION ANIMALS. 1. ANY ORGANIZATION
4 THAT RECEIVES RESCUED, SEIZED, CAPTURED OR IMPOUNDED COMPANION ANIMALS,
5 SUCH AS ANY RESCUE GROUP, VETERINARIAN, LABORATORY, POUND, SHELTER,
6 SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, ANIMAL CONTROL OFFI-
7 CER, PEACE OFFICER, AND INCLUDING, BUT NOT LIMITED TO SHELTERS OR POUNDS
8 ESTABLISHED OR CONTRACTED PURSUANT TO SECTION ONE HUNDRED NINE OF THIS
9 CHAPTER, SHALL EXAMINE EVERY SUCH COMPANION ANIMAL WITHIN TWENTY-FOUR
10 HOURS OF THE INTAKE OF SUCH ANIMAL.
11 2. SUCH ORGANIZATION SHALL EXAMINE THE COMPANION ANIMAL FOR:
12 (A) IDENTIFYING MARKS INCLUDING, BUT NOT BE LIMITED TO, TATTOOS;
13 (B) IDENTIFICATION TAGS;
14 (C) IDENTIFYING MICROCHIPS; AND
15 (D) RABIES LICENSE TAGS.
16 3. (A) REGISTERED OWNERS, CARETAKERS OR AGENTS SHALL BE CONTACTED AS
17 SOON AS REASONABLY POSSIBLE, BY ANY METHOD AVAILABLE FROM SUCH IDENTIFY-
18 ING INFORMATION, AND ALERTED THAT SUCH ANIMAL HAS BEEN TAKEN IN AND IS
19 AVAILABLE FOR REDEMPTION.
20 (B) IF LISTED OWNERS, CARETAKERS OR AGENTS CANNOT BE LOCATED OR REFUSE
21 TO RECLAIM POSSESSION OF SUCH COMPANION ANIMAL, SECONDARY CONTACTS LIST-
22 ED SHALL BE CONTACTED AS SOON AS REASONABLY POSSIBLE.
23 4. (A) ANY PERSON OR ORGANIZATION, INCLUDING, BUT NOT LIMITED TO ANY
24 SHELTER, VETERINARIAN OR ANIMAL CONTROL OFFICER THAT CONTACTS THE REGIS-

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

LBD05196-01-3

1 TERED OWNER, CARETAKER OR AGENT OF ANY COMPANION ANIMAL IN GOOD FAITH IS
2 IMMUNE FROM CRIMINAL AND CIVIL LIABILITY, EXCEPT FOR WILLFUL AND WANTON
3 MISCONDUCT.

4 (B) THIS SUBDIVISION DOES NOT PRECLUDE CIVIL OR CRIMINAL LIABILITY FOR
5 ACTS NOT DIRECTLY RELATED TO ATTEMPTS TO CONTACT REGISTERED OWNERS,
6 CARETAKERS OR AGENTS.

7 S 2. This act shall take effect on the one hundred twentieth day after
8 it shall have become a law. Effective immediately, the addition, amend-
9 ment and/or repeal of any rule or regulation necessary for the implemen-
10 tation of this act on its effective date is authorized to be made on or
11 before such date.