

2097--A

2013-2014 Regular Sessions

I N   S E N A T E

January 10, 2013

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Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to requiring individuals and businesses who offer or solicit pet cremation or burial services for profit use a facility that is in compliance with New York state laws

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

1     Section 1. Section 750-b of the general business law, as added by  
2     chapter 526 of the laws of 1992, is amended to read as follows:  
3     S 750-b. License required. [On and after July thirty-first, nineteen  
4     hundred ninety-three, no person shall engage for a fee in the business  
5     of operating a pet cemetery or pet crematorium or hold himself or  
6     herself out as being able so to do unless he or she is licensed therefor  
7     pursuant to this article] NO INDIVIDUAL, BUSINESS, OR ENTITY SOLICITING  
8     PET CREMATION OR BURIAL SERVICES FOR PROFIT, SHALL KNOWINGLY OFFER THE  
9     SERVICES OF A CREMATORY OR CEMETERY THAT IS NOT AUTHORIZED BY THE STATE  
10    IN WHICH SUCH INDIVIDUAL, BUSINESS OR ENTITY OPERATES TO ENGAGE IN SUCH  
11    ACTIVITIES. Nothing [herein] IN THIS SECTION shall prohibit a person  
12    licensed in accordance with the provisions of this article from employ-  
13    ing individuals to assist in the operation of a pet cemetery or pet  
14    crematorium.  
15    S 2. Subdivision 1 of section 750-s of the general business law, as  
16    amended by chapter 123 of the laws of 1993, is amended to read as  
17    follows:  
18    1. Each person who gives to a veterinarian or a pet cemetery owner or  
19    pet crematorium owner a pet for disposal shall be provided by such  
20    veterinarian or pet cemetery owner or pet crematorium owner with a pet  
21    disposal disclosure document, in form approved by the secretary of

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

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1 state, which shall set forth the alternative methods of pet disposal,  
2 the cost of each such method of pet disposal, if available, [and] the  
3 nature of or place in which each method of disposal will be carried out,  
4 AND NOTICE THAT ANY INDIVIDUAL OR ENTITY PROVIDING PET DISPOSAL SERVICES  
5 OUTSIDE OF NEW YORK IS SUBJECT TO REGULATION BY THE STATE IN WHICH SUCH  
6 INDIVIDUAL OR ENTITY IS LOCATED. The veterinarian or the pet cemetery  
7 owner or the pet crematorium owner, as the case may be, shall give to  
8 the person who completes the form a copy of the form and retain a copy  
9 of said form. If the person completing the form chooses to have the pet  
10 disposed of by a pet cemetery or pet crematorium and makes the arrange-  
11 ments therefor through a veterinarian, the veterinarian shall provide  
12 the person with the name, location and telephone number of the pet ceme-  
13 tery or pet crematorium so that the person may obtain information about  
14 the pet cemetery or pet crematorium. The veterinarian shall also ensure  
15 that a copy of the pet disposal form accompanies the pet when it is  
16 removed from the veterinarian's office.

17 S 3. This act shall take effect immediately.