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

3153

2013-2014 Regular Sessions

I N A S S E M B L Y

January 23, 2013

Introduced by M. of A. PAULIN, MILLMAN, ROBERTS, WEISENBERG -- Multi-Sponsored by -- M. of A. ENGLEBRIGHT, GABRYSZAK, GOTTFRIED -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to improving shelter care

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

Section 1. Subdivision 3 of section 117 of the agriculture and markets law, as added by chapter 220 of the laws of 1978 and such section as renumbered by section 12 of part T of chapter 59 of the laws of 2010, is amended to read as follows:

3. [Each] FOR EACH dog seized in accordance with the provisions of this article [shall be properly sheltered, fed and watered for the redemption period as hereinafter provided], THE DOG CONTROL OFFICER OR PEACE OFFICER, ACTING PURSUANT TO THEIR SPECIAL DUTIES, OR POLICE OFFICER IN THE EMPLOY OF OR UNDER CONTRACT TO A MUNICIPALITY, OR ANY DULY INCORPORATED SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, DULY INCORPORATED HUMANE SOCIETY, POUND OR SHELTER THAT IS OPERATED BY OR UNDER CONTRACT TO A MUNICIPALITY AND IS TAKING POSSESSION OF SUCH DOG, WHICHEVER HAS POSSESSION OF THE DOG SHALL:

(A) PROMPTLY INSPECT EACH DOG FOLLOWING ANY SEIZURE AND PROMPTLY ENSURE DOGS ARE PROVIDED WITH CARE AND TREATMENT TO RELIEVE ANY PAIN AND SUFFERING, INCLUDING NECESSARY IMMEDIATE VETERINARY CARE AND TREATMENT AND PARASITE CONTROL, AND APPROPRIATE VACCINATIONS, AND

(B) DURING THE TIME THE DOG IS IN THE POSSESSION, CARE OR CONTROL OF SUCH OFFICER, SOCIETY, POUND OR SHELTER, PROPERLY SHELTER AND FEED EACH DOG, AND MAKE ACCESSIBLE AT ALL TIMES POTABLE, NON-FROZEN WATER TO EACH DOG.

S 2. Section 373 of the agriculture and markets law is amended by adding a new subdivision 1-b to read as follows:

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

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1-B. ANY OFFICER, AGENT OR SOCIETY AS DESCRIBED IN SUBDIVISION ONE OF THIS SECTION OR POUND OR SHELTER OPERATED BY OR UNDER CONTRACT TO A MUNICIPALITY THAT IS TAKING POSSESSION OF A LOST, STRAY OR HOMELESS ANIMAL UNDER THE PROVISIONS OF THIS SECTION, WHICHEVER HAS POSSESSION OF THE ANIMAL DURING THE APPLICABLE PERIOD, SHALL:

(A) PROMPTLY INSPECT EACH SUCH ANIMAL AFTER TAKING POSSESSION AND PROMPTLY PROVIDE THE ANIMAL WITH CARE AND TREATMENT TO RELIEVE ANY PAIN AND SUFFERING, INCLUDING NECESSARY IMMEDIATE VETERINARY CARE AND TREATMENT AND PARASITE CONTROL, AND APPROPRIATE VACCINATIONS; AND

(B) DURING THE TIME THE ANIMAL IS IN THE POSSESSION, CARE OR CONTROL OF SUCH OFFICER, SOCIETY, POUND OR SHELTER, PROPERLY SHELTER AND FEED EACH ANIMAL, AND MAKE ACCESSIBLE AT ALL TIMES POTABLE, NON-FROZEN WATER TO EACH ANIMAL.

S 3. This act shall take effect on the thirtieth day after it shall have become a law.