

3179--B

2013-2014 Regular Sessions

I N   A S S E M B L Y

January 24, 2013

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Introduced by M. of A. ABBATE -- read once and referred to the Committee on Consumer Affairs and Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Consumer Affairs and Protection in accordance with Assembly Rule 3, sec. 2 -- 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:

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

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

21 S 3. This act shall take effect immediately.