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

3283

2013-2014 Regular Sessions

I N A S S E M B L Y

January 24, 2013

Introduced by M. of A. RABBITT, RAIA, MONTESANO, KATZ, FINCH -- Multi-Sponsored by -- M. of A. TENNEY, TITONE -- read once and referred to the Committee on Agriculture

AN ACT to amend the education law, in relation to requiring any employee of a veterinary facility, animal hospital or clinic, animal boarding kennel, pound, shelter or rescue center or facility that provides services for animals to report an animal's injury, illness or condition to the police if such employee reasonably suspects animal cruelty or abuse

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

Section 1. The education law is amended by adding a new section 6714-a to read as follows:

S 6714-A. MANDATORY REPORT OF SUSPECTED ANIMAL CRUELTY, ABUSE OR NEGLECT. 1. WHEN ANY EMPLOYEE OF A VETERINARY FACILITY, ANIMAL HOSPITAL OR CLINIC, ANIMAL BOARDING KENNEL, POUND, SHELTER OR RESCUE CENTER OR OTHER FACILITY THAT PROVIDES SERVICES FOR ANIMALS, REASONABLY AND IN GOOD FAITH SUSPECTS THAT AN ANIMAL'S INJURY, ILLNESS OR CONDITION IS THE RESULT OF ANIMAL CRUELTY OR A VIOLATION OF STATE OR FEDERAL LAW PERTAINING TO THE CARE, TREATMENT, ABUSE OR NEGLECT OF AN ANIMAL, SUCH EMPLOYEE SHALL REPORT THE INCIDENT AND DISCLOSE RECORDS CONCERNING THE ANIMAL'S CONDITION AND TREATMENT TO THE POLICE, DULY INCORPORATED SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, PEACE OFFICERS, DISTRICT ATTORNEY'S OFFICE, ANIMAL CONTROL OFFICER, DEPARTMENT OF AGRICULTURE AND MARKETS, OTHER APPROPRIATE GOVERNMENT AGENCY, OR ANY AGENT THEREOF.

2. AN EMPLOYEE ACTS IN GOOD FAITH WITHIN THE MEANING OF THIS SECTION WHEN HE OR SHE REASONABLY BELIEVES THAT HIS OR HER ACTIONS ARE NECESSARY TO PROTECT THE HEALTH AND WELFARE OF THE ANIMAL OR THE PUBLIC.

3. AN EMPLOYEE WHO REASONABLY AND IN GOOD FAITH REPORTS OR DISCLOSES RECORDS IN ACCORDANCE WITH THIS SECTION SHALL BE IMMUNE FROM LIABILITY IN THE FORM OF DAMAGES IN ANY CIVIL OR CRIMINAL PROCEEDING ON ACCOUNT OF SUCH REPORTING OR DISCLOSURE.

S 2. This act shall take effect immediately.

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

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