

6949--A

2013-2014 Regular Sessions

I N A S S E M B L Y

April 25, 2013

Introduced by M. of A. ZEBROWSKI, OTIS, SOLAGES, BRINDISI, RAIA, TEDISCO, GLICK, ROSENTHAL, TITONE, MAISEL, GABRYSZAK, KATZ -- Multi-Sponsored by -- M. of A. ARROYO, COOK, RA, SWEENEY -- read once and referred to the Committee on Housing -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property law, the public housing law and the cooperative corporations law, in relation to discrimination against owners of specific breeds of dog

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

1 Section 1. The real property law is amended by adding a new section
2 339-ll to read as follows:

3 S 339-LL. LIMITATIONS ON BY-LAWS, RULES AND REGULATIONS. NO BY-LAW,
4 RULE, REGULATION, RESOLUTION OR DECISION MAY BE ADOPTED THAT RESTRICTS A
5 UNIT OWNER'S ABILITY TO OWN A SPECIFIC BREED OF DOG. NOTHING IN THIS
6 SECTION SHALL BE CONSTRUED TO PROHIBIT A BOARD OF MANAGERS FROM
7 RESTRICTING OWNERSHIP OF DOGS, REGARDLESS OF THEIR BREED, OR OWNERSHIP
8 OF DANGEROUS DOGS AS DEFINED IN SECTION ONE HUNDRED TWENTY-THREE OF THE
9 AGRICULTURE AND MARKETS LAW.

10 S 2. The public housing law is amended by adding a new section 223-c
11 to read as follows:

12 S 223-C. DISCRIMINATION AGAINST PERSONS WHO OWN CERTAIN BREEDS OF
13 DOGS. NO PERSON SHALL BE DENIED OCCUPANCY IN A DWELLING IN ANY PROJECT
14 OR BE SUBJECTED TO EVICTION FROM ANY SUCH DWELLING ON THE SOLE GROUND
15 THAT SUCH PERSON OWNS A SPECIFIC BREED OF DOG AND RESIDES WITH SUCH
16 PERSON. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT THE
17 RESTRICTION OF OWNERSHIP OF DOGS, REGARDLESS OF THEIR BREED, OR OWNER-
18 SHIP OF DANGEROUS DOGS AS DEFINED IN SECTION ONE HUNDRED TWENTY-THREE OF
19 THE AGRICULTURE AND MARKETS LAW.

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

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1 S 3. The real property law is amended by adding a new section 238-a to
2 read as follows:

3 S 238-A. DISCRIMINATION IN LEASES WITH RESPECT TO SPECIFIC BREED OF
4 DOGS. NO PERSON, FIRM OR CORPORATION OWNING OR HAVING IN CHARGE ANY
5 APARTMENT HOUSE, TENEMENT HOUSE OR OTHER BUILDING OR MOBILE HOME PARK
6 USED FOR DWELLING PURPOSES SHALL RESTRICT A TENANT'S ABILITY TO OWN A
7 SPECIFIC BREED OF DOG. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
8 PROHIBIT THE RESTRICTION OF OWNERSHIP OF DOGS, REGARDLESS OF THEIR
9 BREED, OR OWNERSHIP OF DANGEROUS DOGS AS DEFINED IN SECTION ONE HUNDRED
10 TWENTY-THREE OF THE AGRICULTURE AND MARKETS LAW.

11 S 4. The cooperative corporations law is amended by adding a new
12 section 19 to read as follows:

13 S 19. LIMITATIONS OF BY-LAWS BY CERTAIN COOPERATIVE CORPORATIONS. NO
14 BY-LAW OR RULE MAY BE ADOPTED BY A COOPERATIVE CORPORATION THAT WAS
15 FORMED FOR THE PURPOSE OF HOUSING THAT WOULD RESTRICT A MEMBER'S ABILITY
16 TO OWN A SPECIFIC BREED OF DOG. NOTHING IN THIS SECTION SHALL BE
17 CONSTRUED TO PROHIBIT A COOPERATIVE CORPORATION FROM RESTRICTING OWNER-
18 SHIP OF DOGS, REGARDLESS OF THEIR BREED, OR OWNERSHIP OF DANGEROUS DOGS
19 AS DEFINED IN SECTION ONE HUNDRED TWENTY-THREE OF THE AGRICULTURE AND
20 MARKETS LAW.

21 S 5. This act shall take effect immediately.