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

S. 5194 A. 7346

2013-2014 Regular Sessions

S E N A T E - A S S E M B L Y

May 14, 2013

IN SENATE -- Introduced by Sen. SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

IN ASSEMBLY -- Introduced by M. of A. ENGLEBRIGHT, MAISEL, GABRYSZAK, TITONE, ZEBROWSKI, NOJAY, DIPIETRO -- Multi-Sponsored by -- M. of A. ARROYO, BRENNAN, COOK, GLICK, JOHNS, McDONOUGH, MOSLEY, MOYA, THIELE -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to restricting the breeding of dogs and setting standards for the care of breeding dogs and their puppies

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

Section 1. Paragraphs (g) and (h) of subdivision 1 of section 401 of the agriculture and markets law, paragraph (g) as added by chapter 259 of the laws of 2000 and paragraph (h) as added by chapter 110 of the laws of 2012, are amended to read as follows:

(g) [In the event that a pet dealer has a pregnant or nursing dog on his or her premises, the pet dealer shall provide a whelping box for such dog.

(h)] Pet dealers shall designate and provide an isolation area for animals that exhibit symptoms of contagious disease or illness. The location of such designated area must be such as to prevent or reduce the spread of disease to healthy animals.

S 2. Section 401 of the agriculture and markets law is amended by adding a new subdivision 8 to read as follows:

8. BREEDING, BIRTH AND THE CARE OF PUPPIES. (A) FEMALE DOGS SHALL NOT BE BRED UNLESS THEY ARE AT LEAST EIGHTEEN MONTHS OLD AND LESS THAN SIX YEARS OLD. NO FEMALE DOG OVER THE AGE OF SIX YEARS OLD SHALL BE BRED.

(B) (1) A FEMALE DOG SHALL NOT BE BRED MORE THAN ONCE A YEAR.

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

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(2) A FEMALE DOG SHALL NOT BE BRED MORE THAN FOUR TIMES. AFTER A FEMALE DOG HAS WHELPED FOUR LITTERS, THE DOG SHALL BE RETIRED FROM BREEDING REGARDLESS OF HER AGE.

(3) A DOG WHO HAS BEEN RETIRED FROM BREEDING MAY NOT BE SOLD, RELEASED, GIVEN, BARTERED OR OTHERWISE TRANSFERRED TO ANY OTHER PET DEALER FOR THE PURPOSE OF FURTHER BREEDING. ALL VETERINARY AND TRANSFER DOCUMENTATION PERTAINING TO THE DOG SHALL REFLECT THAT THE DOG IS RETIRED FROM BREEDING.

(C) IN THE EVENT THAT A PET DEALER HAS A PREGNANT OR NURSING DOG ON HIS OR HER PREMISES, THE PET DEALER SHALL PROVIDE A WHELPING OR NESTING BOX FOR SUCH DOG. A PREGNANT DOG SHALL BE SEPARATED FROM OTHER ANIMALS IN PREPARATION FOR WHELPING NOT LESS THAN THREE DAYS BEFORE THE DOG'S ESTIMATED DATE OF WHELPING. A NURSING DOG AND HER PUPPIES SHALL BE SEPARATED FROM OTHER ANIMALS UNTIL THE PUPPIES ARE ALL WEANED; PROVIDED THAT A PET DEALER MAY KEEP TWO OR MORE NURSING DOGS AND THEIR RESPECTIVE PUPPIES TOGETHER IN A LOCATION SEPARATE FROM NON-NURSING DOGS.

(D) (1) NO PUPPY SHALL BE SEPARATED FROM ITS MOTHER AND LITTERMATES UNTIL IT IS AT LEAST EIGHT WEEKS OLD. ALL PUPPIES AND THEIR MOTHER MUST REMAIN ON THE PET DEALER'S PREMISES UNTIL THE PUPPIES ARE AT LEAST EIGHT WEEKS OLD.

(2) THE PROVISIONS OF THIS PARAGRAPH SHALL NOT PROHIBIT THE TEMPORARY SEPARATION OF PUPPIES FROM THE MOTHER DOG FOR THE PURPOSE OF SEEKING NECESSARY CARE FROM A VETERINARIAN.

S 3. This act shall take effect immediately.