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I N   A S S E M B L Y

May 27, 2014

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Introduced by M. of A. BROOK-KRASNY, MOSLEY, SKOUFIS, TITONE, OTIS, SCARBOROUGH, GOTTFRIED, MILLER -- Multi-Sponsored by -- M. of A. CAMARA, GLICK, LUPARDO, PERRY, RIVERA, SKARTADOS, SWEENEY, TEDISCO -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to requiring research dogs and cats at certain facilities to be offered for adoption through private placement or a non-profit animal rescue and shelter organization

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

1     Section 1. Short title. This act shall be known and may be cited as  
2     the "Research animal retirement act".  
3     S 2. The education law is amended by adding a new section 239-b to  
4     read as follows:  
5     S 239-B. RESEARCH DOGS AND CATS. 1. RESEARCH DOGS AND CATS. A HIGHER  
6     EDUCATION RESEARCH FACILITY THAT RECEIVES PUBLIC MONEY, INCLUDING  
7     TAX-EXEMPT STATUS, OR A FACILITY THAT PROVIDES RESEARCH IN COLLABORATION  
8     WITH A HIGHER EDUCATION FACILITY, AND OTHER RELATED RESEARCH FACILITIES  
9     THAT CONFINE DOGS OR CATS FOR SCIENCE OR RESEARCH PURPOSES SHALL, AFTER  
10    THE COMPLETION OF ANY TESTING OR RESEARCH WHERE THE ANIMAL'S DESTRUCTION  
11    IS NOT REQUIRED AND THE ANIMAL IS NO LONGER NEEDED, OFFER THE DOGS OR  
12    CATS FOR ADOPTION, EITHER THROUGH PRIVATE PLACEMENT OR TO NON-PROFIT  
13    ANIMAL RESCUE AND SHELTER ORGANIZATIONS FOR ADOPTION PRIOR TO EUTHANIZ-  
14    ING SUCH ANIMALS. IF PRIVATE PLACEMENT IS UNSUCCESSFUL SUCH FACILITY  
15    SHALL OFFER THE DOGS OR CATS TO NON-PROFIT ANIMAL RESCUE AND SHELTER  
16    ORGANIZATIONS PRIOR TO EUTHANIZING.  
17    2. A FACILITY THAT IS REQUIRED TO OFFER DOGS OR CATS TO NON-PROFIT  
18    ANIMAL RESCUE AND SHELTER ORGANIZATIONS UNDER THIS SECTION MAY ENTER  
19    INTO AN AGREEMENT WITH NON-PROFIT ANIMAL RESCUE AND SHELTER ORGANIZA-  
20    TIONS FOR THE IMPLEMENTATION OF THIS SECTION.  
21    3. A FACILITY THAT IS REQUIRED TO OFFER DOGS OR CATS FOR ADOPTION  
22    UNDER THIS SECTION SHALL OWE NO DUTY OF CARE TO ANY NON-PROFIT ANIMAL

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

LBD13843-09-4

1 RESCUE AND SHELTER ORGANIZATION THAT ACCEPTS THE ANIMAL OR TO ANY PERSON  
2 OR ENTITY THAT MAY ADOPT SUCH ANIMALS, WHETHER THROUGH SUCH ORGANIZA-  
3 TIONS OR THROUGH PRIVATE PLACEMENT. NO ASSUMPTION OF RESPONSIBILITY OR  
4 LIABILITY FOR INJURIES, PROPERTY DAMAGE, OR OTHER DAMAGES OR LOSSES  
5 SHALL BE INCURRED BY SUCH RESEARCH FACILITY ON ACCOUNT OF THE ADOPTION  
6 OR PLACEMENT OF ANY DOG OR CAT PURSUANT TO THE PROVISIONS OF THIS ARTI-  
7 CLE.

8 S 3. This act shall take effect on the sixtieth day after it shall  
9 have become a law, provided that the state education department is  
10 authorized to promulgate any and all rules and regulations and take any  
11 other measures necessary to implement this act on its effective date, on  
12 or before such date.