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

6769--C

Cal. No. 505

I N S E N A T E

March 7, 2014

Introduced by Sens. LIBOUS, BOYLE, GRISANTI, KRUEGER, LAVALLE, MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the agriculture and markets law, in relation to prohibiting piercing and tattooing of companion animals

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

Section 1. The agriculture and markets law is amended by adding a new section 353-f to read as follows:

S 353-F. COMPANION ANIMAL PIERCING AND TATTOOING PROHIBITED. 1. NO PERSON SHALL PIERCE OR CAUSE TO HAVE PIERCED A COMPANION ANIMAL UNLESS SUCH PIERCING PROVIDES A MEDICAL BENEFIT TO THE COMPANION ANIMAL. SUCH PIERCING SHALL BE PERFORMED BY A LICENSED VETERINARIAN OR UNDER THE SUPERVISION OF A LICENSED VETERINARIAN. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO APPLY TO EAR TAGS ON RABBITS AND CAVIES.

2. NO PERSON SHALL TATTOO OR CAUSE TO HAVE TATTOOED A COMPANION ANIMAL UNLESS SUCH TATTOO:

(A) IS DONE IN CONJUNCTION WITH A MEDICAL PROCEDURE FOR THE BENEFIT OF THE COMPANION ANIMAL AND TO INDICATE THAT SUCH MEDICAL PROCEDURE HAS BEEN DONE, PROVIDED THAT SUCH TATTOO IS NOT FOR DESIGN PURPOSES; OR

(B) IS DONE FOR THE PURPOSE OF IDENTIFICATION OF THE COMPANION ANIMAL AND NOT FOR DESIGN PURPOSES, AND SUCH TATTOO INCLUDES ONLY SUCH NUMBERS AND/OR LETTERS ALLOTTED BY A CORPORATION THAT, IN THE REGULAR COURSE OF ITS BUSINESS, MAINTAINS AN ANIMAL TATTOO IDENTIFICATION REGISTRY.

3. FOR THE PURPOSES OF THIS SECTION, "TATTOO" SHALL MEAN A MARK ON THE BODY MADE WITH INDELIBLE INK OR PIGMENTS INJECTED BENEATH THE OUTER LAYER OF THE SKIN.

4. TATTOOING DONE IN CONJUNCTION WITH A MEDICAL PROCEDURE FOR THE BENEFIT OF A COMPANION ANIMAL THAT INDICATES THAT SUCH MEDICAL PROCEDURE

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

LBD05036-13-4

HAS BEEN DONE SHALL BE PERFORMED BY A LICENSED VETERINARIAN OR UNDER THE SUPERVISION OF A LICENSED VETERINARIAN.

5. ANY PERSON WHO KNOWINGLY VIOLATES THE PROVISIONS OF THIS SECTION SHALL BE GUILTY OF A VIOLATION PUNISHABLE PURSUANT TO THE PENAL LAW.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.