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

2065--A

2015-2016 Regular Sessions

I N A S S E M B L Y

January 15, 2015

Introduced by M. of A. ZEBROWSKI, OTIS, GLICK, MOYA, SOLAGES, ROSENTHAL, RAIA, BRINDISI, TITONE, TEDISCO, COLTON, KATZ, WEPRIN, SKOUFIS, BICHOTTE, MALLIOTAKIS, LINARES, MURRAY, BARRETT, LAVINE, SEAWRIGHT -- Multi-Sponsored by -- M. of A. ARROYO, BUCHWALD, COOK, CUSICK, HEVESI, LUPARDO, LUPINACCI, McDONOUGH, RA, SCHIMEL, SIMON -- read once and referred to the Committee on Housing -- recommitted to the Committee on Housing in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public housing law and the real property 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:

Section 1. The public housing law is amended by adding a new section 223-c to read as follows:

S 223-C. DISCRIMINATION AGAINST PERSONS WHO OWN CERTAIN DOGS. NO PERSON SHALL BE DENIED OCCUPANCY IN A DWELLING IN ANY PROJECT OR BE SUBJECTED TO EVICTION FROM ANY SUCH DWELLING ON THE GROUNDS THAT SUCH PERSON OWNS A DOG OF A SPECIFIC BREED, SIZE, OR WEIGHT AND SUCH DOG RESIDES WITH SUCH PERSON. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT ANY AUTHORITY FROM PRESCRIBING AND ENFORCING REASONABLE RESTRICTIONS OR REQUIREMENTS ON THE OWNERSHIP OF DOGS, REGARDLESS OF THEIR BREED, SIZE, OR WEIGHT, OR ON THE OWNERSHIP OF DANGEROUS DOGS AS PRESCRIBED IN SECTION ONE HUNDRED TWENTY-THREE OF THE AGRICULTURE AND MARKETS LAW.

S 2. Article 7 of the real property law is amended by adding a new section 238-a to read as follows:

S 238-A. DISCRIMINATION IN LEASES WITH RESPECT TO CERTAIN DOGS. NO PERSON, FIRM OR CORPORATION OWNING OR HAVING IN CHARGE ANY APARTMENT HOUSE, TENEMENT HOUSE OR OTHER BUILDING OR MOBILE HOME PARK USED FOR DWELLING PURPOSES SHALL RESTRICT A TENANT'S ABILITY TO OWN A DOG OF A

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

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SPECIFIC BREED, SIZE OR WEIGHT. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT SUCH PERSONS, FIRMS OR CORPORATIONS FROM PRESCRIBING AND ENFORCING REASONABLE RESTRICTIONS OR REQUIREMENTS ON THE OWNERSHIP OF DOGS, REGARDLESS OF THEIR BREED, SIZE OR WEIGHT, OR ON THE OWNERSHIP OF DANGEROUS DOGS AS PRESCRIBED IN SECTION ONE HUNDRED TWENTY-THREE OF THE AGRICULTURE AND MARKETS LAW.

S 3. This act shall take effect immediately.