

5946

2015-2016 Regular Sessions

I N S E N A T E

June 12, 2015

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the general business law, in relation to requiring pet dealers to provide instructions on the care of small animals

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

1 Section 1. The general business law is amended by adding a new section
2 391-t to read as follows:

3 S 391-T. SALE OF SMALL ANIMALS; INSTRUCTIONS ON CARE. 1. AS USED IN
4 THIS SECTION, A "SMALL ANIMAL" SHALL MEAN ANY SMALL MAMMAL, EXCLUDING
5 DOGS OR CATS, INCLUDING BUT NOT LIMITED TO, HAMSTERS, CHINCHILLAS,
6 GUINEA PIGS, GERBILS, RABBITS, MICE, RATS, FERRETS AND ANY SMALL AMPHI-
7 BIAN OR REPTILES, INCLUDING BUT NOT LIMITED TO FROGS, SNAKES AND
8 LIZARDS.

9 2. EVERY PET DEALER, AS DEFINED IN SECTION FOUR HUNDRED OF THE AGRI-
10 CULTURE AND MARKETS LAW, AS WELL AS ANY RETAILER THAT SELLS SMALL
11 ANIMALS TO THE PUBLIC, SHALL DELIVER OR PROVIDE DIGITAL ACCESS TO THE
12 PURCHASER OF A SMALL ANIMAL, AT THE TIME OF SALE, GENERAL WRITTEN RECOM-
13 MENDATIONS FOR THE GENERALLY ACCEPTED CARE OF THE CLASS OF SUCH SMALL
14 ANIMAL, OBTAINED FROM SOURCES INCLUDING BUT NOT LIMITED TO A STATE OR
15 NATIONAL: PROFESSIONAL ASSOCIATION ESTABLISHED TO FURTHER THE VETERINARY
16 PROFESSIONS; ASSOCIATION ESTABLISHED FOR THE PRESERVATION AND CARE OF
17 REPTILES; OR PET INDUSTRY ORGANIZATION REPRESENTING PET RETAILERS,
18 INCLUDING INFORMATION ON HOUSING, EQUIPMENT, SANITATION, ENVIRONMENT,
19 FEEDING AND WATERING, HANDLING, AND VETERINARY CARE. THIS WRITTEN INFOR-
20 MATION SHALL BE IN A FORM DETERMINED BY THE COMMISSIONER OF THE DEPART-
21 MENT OF AGRICULTURE AND MARKETS.

22 3. THIS SECTION SHALL NOT APPLY TO THE SALE OF SMALL ANIMALS THAT ARE
23 EXPRESSLY SOLD AS FEEDER ANIMALS.

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

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1 4. THE PET DEALER OR RETAILER THAT SELLS SMALL ANIMALS TO THE PUBLIC
2 SHALL FILE A COPY OF THE WRITTEN INSTRUCTIONS ON CARE ANNUALLY WITH THE
3 DEPARTMENT OF AGRICULTURE AND MARKETS.
4 S 2. This act shall take effect on the ninetieth day after it shall
5 have become a law.