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

7568

I N S E N A T E

May 10, 2016

Introduced by Sen. HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the executive law, in relation to authorizing the division of veterans' affairs to provide eligible veterans with financial assistance for purchasing, training and the upkeep of service dogs and emotional support dogs

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

Section 1. The executive law is amended by adding a new section 368-a to read as follows:

S 368-A. SERVICE DOG AND EMOTIONAL SUPPORT DOG GRANT ASSISTANCE. 1. FOR THE PURPOSES OF THIS SECTION, THE TERM "SERVICE DOG" SHALL HAVE THE SAME MEANING AS PROVIDED FOR IN SUBDIVISION SEVEN OF SECTION FORTY-SEVEN-B OF THE CIVIL RIGHTS LAW.

2. FOR THE PURPOSES OF THIS SECTION, THE TERM "EMOTIONAL SUPPORT DOG" SHALL MEAN A DOG PROVIDING THERAPEUTIC SUPPORT TO AN OWNER.

3. THE DIVISION SHALL PROVIDE ELIGIBLE VETERANS WITH: (A) GRANT ASSISTANCE OF UP TO SEVEN THOUSAND FIVE HUNDRED DOLLARS FOR THE PURCHASE AND TRAINING OF A SERVICE DOG FROM AN ORGANIZATION PROVIDING SERVICE DOGS FOR POST-TRAUMATIC STRESS DISORDER AND/OR TRAUMATIC BRAIN INJURY; OR (B) GRANT ASSISTANCE OF UP TO FIVE THOUSAND DOLLARS FOR THE PURCHASE AND TRAINING OF A SERVICE DOG FROM A PROFESSIONAL SERVICE DOG TRAINER OR AN OWNER-TRAINER. THE DIVISION SHALL PROVIDE ELIGIBLE VETERANS RECEIVING GRANT ASSISTANCE PURSUANT TO THIS SUBDIVISION WITH AN AMOUNT OF NOT LESS THAN FIFTY DOLLARS A MONTH FOR THE CONTINUED UPKEEP OF THE SERVICE DOG AS LONG AS THE ELIGIBLE VETERAN IS IN POSSESSION OF THE SERVICE DOG.

4. THE DIVISION SHALL PROVIDE ELIGIBLE VETERANS WITH GRANT ASSISTANCE OF UP TO FIVE HUNDRED DOLLARS FOR THE PURCHASE AND TRAINING OF AN EMOTIONAL SUPPORT DOG, AS WELL AS AN AMOUNT OF NOT LESS THAN THIRTY-FIVE DOLLARS A MONTH FOR THE CONTINUED UPKEEP OF THE EMOTIONAL SUPPORT DOG AS LONG AS THE ELIGIBLE VETERAN IS IN POSSESSION OF THE EMOTIONAL SUPPORT DOG.

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

LBD15301-02-6

5. TO BE ELIGIBLE TO RECEIVE GRANT ASSISTANCE UNDER THIS SECTION, AN INDIVIDUAL MUST:

(A) BE A VETERAN, WHICH, FOR THE PURPOSES OF THIS SECTION, SHALL MEAN RESIDENT OF THIS STATE WHO SERVED ON ACTIVE DUTY IN THE UNITED STATES ARMY, NAVY, MARINE CORPS, AIR FORCE, COAST GUARD OR THE RESERVES COMPONENT, OR WHO SERVED IN ACTIVE MILITARY SERVICE OF THE UNITED STATES AS A MEMBER OF THE ARMY NATIONAL GUARD, AIR NATIONAL GUARD, NEW YORK GUARD OR NEW YORK NAVAL MILITIA, WHO WAS RELEASED FROM SUCH SERVICE OTHER THAN BY DISHONORABLE DISCHARGE;

(B) RECEIVE A DIAGNOSIS FROM A LICENSED PHYSICIAN OR LICENSED MENTAL HEALTH PROFESSIONAL OF POST-TRAUMATIC STRESS DISORDER, A TRAUMATIC BRAIN INJURY, OR BOTH, CAUSING A DISABILITY AS THAT TERM IS DEFINED IN SUBDIVISION TWENTY-ONE OF SECTION TWO HUNDRED NINETY-TWO OF THIS CHAPTER;

(C) RECEIVE A LETTER FROM A LICENSED PHYSICIAN OR LICENSED MENTAL HEALTH PROVIDER CERTIFYING THAT THE INDIVIDUAL WOULD BENEFIT FROM THE USE OF A SERVICE DOG OR EMOTIONAL SUPPORT DOG; AND

(D) HAVE AN ANNUAL INCOME OF FIFTY THOUSAND DOLLARS OR LESS.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however the division of veterans' affairs is authorized and directed to promulgate regulations to implement the provisions of this act immediately.