

8261--A

2015-2016 Regular Sessions

I N   A S S E M B L Y

June 16, 2015

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Introduced by M. of A. ROSENTHAL, MOSLEY, SKOUFIS, TITONE, OTIS, GOTTFRIED, MILLER, MURRAY, DINOWITZ, ZEBROWSKI, GARBARINO, CURRAN, RA, LAVINE, QUART, SEAWRIGHT -- Multi-Sponsored by -- M. of A. CERETTO, ENGLEBRIGHT, GALEF, GLICK, LINARES, LOPEZ, LUPARDO, LUPINACCI, PERRY, RIVERA, SCHIMEL, SIMON, SKARTADOS, TEDISCO, THIELE -- read once and referred to the Committee on Higher Education -- recommitted to the Committee on Higher Education 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 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. A HIGHER EDUCATION RESEARCH  
6     FACILITY THAT RECEIVES PUBLIC MONEY, INCLUDING TAX-EXEMPT STATUS, OR A  
7     FACILITY THAT PROVIDES RESEARCH IN COLLABORATION WITH A HIGHER EDUCATION  
8     FACILITY SHALL AFTER THE COMPLETION OF ANY TESTING OR RESEARCH INVOLVING  
9     A DOG OR CAT, ASSESS THE HEALTH OF THE DOG OR CAT AND DETERMINE WHETHER  
10    IT IS SUITABLE FOR ADOPTION. SUCH FACILITY SHALL THEREAFTER MAKE REASON-  
11    ABLE EFFORTS TO OFFER FOR ADOPTION THE DOG OR CAT DETERMINED TO BE SUIT-  
12    ABLE FOR ADOPTION, EITHER THROUGH PRIVATE PLACEMENT OR THROUGH AN ANIMAL  
13    RESCUE AND SHELTER ORGANIZATION, A DULY INCORPORATED SOCIETY FOR THE  
14    PREVENTION OF CRUELTY TO ANIMALS, A DULY INCORPORATED HUMANE SOCIETY, OR  
15    A DULY INCORPORATED ANIMAL PROTECTIVE ASSOCIATION THAT OPERATES PHYSICAL  
16    ANIMAL SHELTERING FACILITIES AND OFFERS HOUSEHOLD PETS TO THE PUBLIC FOR

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

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1 ADOPTION BY WAY OF AN ESTABLISHED ADOPTION PROGRAM, PRIOR TO EUTHANIZING  
2 SUCH DOG OR CAT. NOTHING IN THIS SECTION SHALL CREATE A DUTY UPON SUCH  
3 AN ORGANIZATION, ASSOCIATION OR SOCIETY TO ACCEPT A DOG OR CAT OFFERED  
4 BY A HIGHER EDUCATION RESEARCH FACILITY FOR ADOPTION.

5 2. A FACILITY THAT IS REQUIRED TO OFFER DOGS OR CATS FOR ADOPTION  
6 UNDER THIS SECTION MAY ENTER INTO AN AGREEMENT WITH AN ANIMAL RESCUE AND  
7 SHELTER ORGANIZATION, A DULY INCORPORATED SOCIETY FOR THE PREVENTION OF  
8 CRUELTY TO ANIMALS, A DULY INCORPORATED HUMANE SOCIETY, OR A DULY INCOR-  
9 PORATED ANIMAL PROTECTIVE ASSOCIATION THAT OPERATES PHYSICAL ANIMAL  
10 SHELTERING FACILITIES AND OFFERS HOUSEHOLD PETS TO THE PUBLIC FOR  
11 ADOPTION BY WAY OF AN ESTABLISHED ADOPTION PROGRAM.

12 3. THE ATTENDING OR INSTITUTIONAL VETERINARIAN AT A FACILITY THAT IS  
13 REQUIRED TO OFFER DOGS OR CATS FOR ADOPTION UNDER THIS SECTION SHALL  
14 HAVE THE AUTHORITY TO ASSESS THE HEALTH OF AN ANIMAL AND DETERMINE  
15 WHETHER AN ANIMAL IS SUITABLE FOR ADOPTION.

16 S 3. This act shall take effect on the thirtieth day after it shall  
17 have become a law.