

1177--A

Cal. No. 365

2015-2016 Regular Sessions

I N S E N A T E

January 9, 2015

Introduced by Sen. SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the agriculture and markets law, in relation to informed consent of owners for euthanasia of a pet

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 "Sir Henry's law".
3 S 2. The agriculture and markets law is amended by adding a new
4 section 353-g to read as follows:
5 S 353-G. HUMANE EUTHANASIA OF COMPANION ANIMALS; OWNER INFORMED
6 CONSENT. 1. PRIOR TO THE HUMANE EUTHANASIA OF A COMPANION ANIMAL WHICH
7 IS NOT LOST, STRAYED, HOMELESS OR ABANDONED, THE VETERINARIAN, WHO WILL
8 PERFORM SUCH PROCEDURE UPON THE ANIMAL, SHALL EXPLAIN TO THE COMPANION
9 ANIMAL OWNER, WHO GRANTS CONSENT TO HAVING THE COMPANION ANIMAL EUTHAN-
10 IZED, IN A TRUTHFUL AND EASY TO UNDERSTAND MANNER:
11 (A) THE VARIOUS METHODS WHICH CAN BE UTILIZED TO HUMANELY EUTHANIZE
12 THE COMPANION ANIMAL;
13 (B) THE BENEFITS AND RISKS OF EACH SUCH METHOD;
14 (C) THE NEGATIVE IMPACTS UPON THE ANIMAL OF EACH SUCH METHOD;
15 (D) THE ALTERNATIVE METHOD OF HUMANE EUTHANASIA TO BE UTILIZED IF THE
16 PREFERRED METHOD CANNOT BE HUMANELY UTILIZED, AND THE NEGATIVE IMPACTS
17 AND RISKS OF THE ALTERNATIVE METHOD; AND
18 (E) FULLY ANSWER ANY QUESTIONS THE COMPANION ANIMAL OWNER HAS WITH
19 REGARD TO EUTHANIZING THE OWNER'S PET.
20 2. NO COMPANION ANIMAL WHICH IS NOT LOST, STRAYED, HOMELESS OR ABAN-
21 DONED SHALL BE EUTHANIZED BY MEANS OF INTRACARDIAC INJECTION UNLESS THE
22 ANIMAL IS HEAVILY SEDATED, ANESTHETIZED OR COMATOSE. HOWEVER, A LICENSED

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

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1 VETERINARIAN MAY PERFORM EUTHANASIA BY INTRACARDIAC INJECTION UPON
2 ANIMALS THAT ARE NOT HEAVILY SEDATED, ANESTHETIZED OR COMATOSE ONLY WHEN
3 SUCH LICENSED VETERINARIAN DETERMINES THAT SUCH INTRACARDIAC INJECTION
4 IS THE MOST HUMANE OPTION AVAILABLE. WHENEVER A CARDIAC INJECTION IS
5 ADMINISTERED BY A LICENSED VETERINARIAN UPON AN ANIMAL THAT IS NOT HEAV-
6 ILY SEDATED, ANESTHETIZED OR COMATOSE, SUCH VETERINARIAN SHALL DOCUMENT,
7 IN WRITING, THE ADMINISTRATION OF SUCH INJECTION AND THE REASON FOR ITS
8 ADMINISTRATION. SUCH DOCUMENTATION SHALL BE RETAINED FOR AT LEAST THREE
9 YEARS.

10 3. THE OWNER OF A COMPANION ANIMAL THAT IS HUMANELY EUTHANIZED SHALL
11 BE ALLOWED TO REMAIN WITH HIS OR HER PET DURING THE ENTIRE PROCESS OF
12 EUTHANASIA, INCLUDING WHEN DEATH IS CONFIRMED.

13 4. BOTH THE VETERINARIAN, WHO HUMANELY EUTHANIZES A COMPANION ANIMAL,
14 AND THE OWNER OF SUCH ANIMAL SHALL SIGN A FORM, ESTABLISHED BY THE
15 DEPARTMENT, STATING THAT THE PROVISIONS OF THIS SECTION HAVE BEEN FULLY
16 COMPLIED WITH, THAT ALL HUMANE EUTHANASIA METHODS HAVE BEEN CONSIDERED
17 AND EXPLAINED, AND ALL QUESTIONS RELATING TO THE EUTHANASIA PROCESS HAVE
18 BEEN ANSWERED TO THE OWNER'S SATISFACTION.

19 5. THE DEPARTMENT MAY PROMULGATE ANY RULES AND REGULATIONS NECESSARY
20 TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

21 S 3. This act shall take effect on the first of January next succeed-
22 ing the date on which it shall have become a law; provided, however,
23 that, effective immediately, any actions necessary to implement the
24 provisions of this act on its effective date are authorized and directed
25 to be completed on or before such date.