

4533--A

2015-2016 Regular Sessions

I N S E N A T E

March 26, 2015

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

5 (A) A "PET DEALER" SHALL MEAN ANY PERSON WHO, IN THE ORDINARY COURSE
6 OF BUSINESS, ENGAGES IN THE SALE OR OFFERING FOR SALE OF MORE THAN NINE
7 ANIMALS PER YEAR FOR PROFIT TO THE PUBLIC. SUCH DEFINITION SHALL
8 INCLUDE, BUT NOT BE LIMITED TO, BREEDERS OF ANIMALS WHO SELL OR OFFER
9 FOR SALE ANIMALS DIRECTLY TO A CONSUMER BUT IT SHALL NOT INCLUDE DULY
10 INCORPORATED HUMANE SOCIETIES DEDICATED TO THE CARE OF UNWANTED ANIMALS
11 WHICH MAKE SUCH ANIMALS AVAILABLE FOR ADOPTION WHETHER OR NOT A FEE FOR
12 SUCH ADOPTION IS CHARGED.

13 (B) A "SMALL ANIMAL" SHALL MEAN ANY SMALL MAMMAL, EXCLUDING DOGS OR
14 CATS, INCLUDING BUT NOT LIMITED TO, HAMSTERS, CHINCHILLAS, GUINEA PIGS,
15 GERBILS, RABBITS, MICE, RATS, FERRETS AND ANY SMALL AMPHIBIANS OR
16 REPTILES, INCLUDING BUT NOT LIMITED TO FROGS, SNAKES AND LIZARDS.

17 2. EVERY PET DEALER SHALL DELIVER TO THE PURCHASER OF A SMALL ANIMAL,
18 AT THE TIME OF SALE, WRITTEN INSTRUCTIONS ON THE CARE OF SUCH SMALL
19 ANIMAL, OBTAINED FROM A LICENSED VETERINARIAN OR A STATE OR NATIONAL
20 VETERINARIAN MEDICAL SOCIETY OR THE AMERICAN VETERINARY MEDICAL ASSOCI-
21 ATION, INCLUDING INFORMATION ON HOUSING, SANITATION, FEEDING AND WATER-
22 ING, HANDLING, AND VETERINARY CARE.

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

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1 3. THE WRITTEN INSTRUCTIONS ON CARE SHALL BE SIGNED AND DATED BY THE
2 PURCHASER OF THE SMALL ANIMAL, ACKNOWLEDGING RECEIPT OF A COPY OF THE
3 INSTRUCTIONS. THE PET DEALER SHALL RETAIN A COPY OF THE SIGNED
4 INSTRUCTIONS FOR A PERIOD OF ONE YEAR.

5 S 2. This act shall take effect on the ninetieth day after it shall
6 have become a law.