

5944--A

2015-2016 Regular Sessions

I N S E N A T E

June 12, 2015

Introduced by Sens. AVELLA, ADDABBO, SAVINO, SERRANO, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Housing, Construction and Community Development in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public housing law and the real property law, in relation to discrimination against owners of specific breeds of dog

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

1 Section 1. The public housing law is amended by adding a new section
2 223-c to read as follows:

3 S 223-C. DISCRIMINATION AGAINST PERSONS WHO OWN CERTAIN DOGS. NO
4 PERSON SHALL BE DENIED OCCUPANCY IN A DWELLING IN ANY PROJECT OR BE
5 SUBJECTED TO EVICTION FROM ANY SUCH DWELLING ON THE GROUNDS THAT SUCH
6 PERSON OWNS A DOG OF A SPECIFIC BREED, SIZE, OR WEIGHT AND SUCH DOG
7 RESIDES WITH SUCH PERSON. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
8 PROHIBIT ANY AUTHORITY FROM PRESCRIBING AND ENFORCING REASONABLE
9 RESTRICTIONS OR REQUIREMENTS ON THE OWNERSHIP OF DOGS, REGARDLESS OF
10 THEIR BREED, SIZE, OR WEIGHT, OR ON THE OWNERSHIP OF DANGEROUS DOGS AS
11 PRESCRIBED IN SECTION ONE HUNDRED TWENTY-THREE OF THE AGRICULTURE AND
12 MARKETS LAW.

13 S 2. Article 7 of the real property law is amended by adding a new
14 section 238-a to read as follows:

15 S 238-A. DISCRIMINATION IN LEASES WITH RESPECT TO CERTAIN DOGS. NO
16 PERSON, FIRM OR CORPORATION OWNING OR HAVING IN CHARGE ANY APARTMENT
17 HOUSE, TENEMENT HOUSE OR OTHER BUILDING OR MOBILE HOME PARK USED FOR
18 DWELLING PURPOSES SHALL RESTRICT A TENANT'S ABILITY TO OWN A DOG OF A
19 SPECIFIC BREED, SIZE OR WEIGHT. NOTHING IN THIS SECTION SHALL BE
20 CONSTRUED TO PROHIBIT SUCH PERSONS, FIRMS OR CORPORATIONS FROM PRESCRIB-
21 ING AND ENFORCING REASONABLE RESTRICTIONS OR REQUIREMENTS ON THE OWNER-

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

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1 SHIP OF DOGS, REGARDLESS OF THEIR BREED, SIZE OR WEIGHT, OR ON THE
2 OWNERSHIP OF DANGEROUS DOGS AS PRESCRIBED IN SECTION ONE HUNDRED TWEN-
3 TY-THREE OF THE AGRICULTURE AND MARKETS LAW.
4 S 3. This act shall take effect immediately.