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I N S E N A T E

February 2, 2016

Introduced by Sen. MURPHY -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to inspection of pet dealers

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

1 Section 1. Subdivision 1 of section 405 of the agriculture and markets
2 law, as added by chapter 259 of the laws of 2000, is amended to read as
3 follows:
4 1. (A) The commissioner or his or her authorized agents shall, at a
5 minimum, make yearly inspections of pet dealers' facilities to ensure
6 compliance with the provisions of this article and with the provisions
7 of article thirty-five-D of the general business law, except for those
8 pet dealers who engage in the sale of less than twenty-five animals in a
9 year, in which case inspections shall be made whenever in the discretion
10 of the commissioner or his or her authorized agents, a complaint
11 warrants such investigation.
12 (B) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (A) OF THIS SUBDIVI-
13 SION, THE COMMISSIONER SHALL IMMEDIATELY OR AS SOON AS PRACTICABLE, UPON
14 THE FILING OF ANY CHARGE OF VIOLATING ANY PROVISION OF ARTICLE
15 TWENTY-SIX OF THIS CHAPTER OR SECTION FOUR HUNDRED ONE OF THIS ARTICLE
16 AGAINST A PET DEALER, CAUSE AN INSPECTION TO BE MADE OF SUCH PET DEAL-
17 ER'S FACILITIES, INCLUDING ANY FACILITIES FOR THE RETAIL SALE OF
18 ANIMALS. THEREAFTER, AN INSPECTION THEREOF SHALL BE CONDUCTED AT THE PET
19 DEALER'S FACILITIES ONCE EVERY TWO WEEKS UNTIL THERE IS A FINAL DISPOSI-
20 TION ON SUCH CHARGES. AFTER A FINAL DISPOSITION IN WHICH THE PET DEALER
21 IS FOUND GUILTY OF ANY CHARGE, SUCH PET DEALER'S FACILITIES SHALL BE
22 INSPECTED ON A QUARTERLY BASIS FOR A PERIOD OF ONE YEAR.
23 S 2. This act shall take effect on the first of January next succeed-
24 ing the date on which it shall have become a law.

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

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