

# STATE OF NEW YORK

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183

2017-2018 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 4, 2017

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Introduced by M. of A. SANTABARBARA -- read once and referred to the  
Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to the  
administration of rabies vaccine to livestock and providing for the  
repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. The agriculture and markets law is amended by adding a new  
2 section 89-a to read as follows:

3 § 89-a. Administration of rabies vaccine. (1) Notwithstanding any  
4 other section of law, any livestock owner may directly purchase killed  
5 rabies vaccine for the sole purpose of vaccinating livestock owned by  
6 such livestock owner. Livestock vaccinated in such a manner without the  
7 direct or supervisory participation of a veterinarian will not be  
8 considered as vaccinated by the department of health, the department of  
9 agriculture and markets, or any other department, agency, or agent of  
10 the state for the purposes of matters involving state action or policy  
11 towards livestock, including, but not limited to, quarantine in the case  
12 of a rabies outbreak or local rabies emergency, and eligibility for  
13 participation in the New York state fair or any county or local fair run  
14 by any political subdivision of the state of New York. Livestock vacci-  
15 nated pursuant to this section shall not be eligible for indemnification  
16 for rabies as provided for in article six-A of this chapter if it is  
17 determined that such vaccinations, conducted without the direct or  
18 supervisory participation of a veterinarian, contributed to the damages  
19 to the animal.

20 (2) For purposes of this section, the term "livestock" shall mean  
21 cattle and horses and any species of livestock that are indicated on the  
22 vaccine label or package insert. The term "livestock" shall not mean  
23 dogs and cats. All killed rabies vaccines must be administered in

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

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1 accordance with the specifications of the product label or package  
2 insert.

3 § 2. This act shall take effect immediately and shall expire and be  
4 deemed repealed 2 years after such effective date.