STATE OF NEW YORK

1839

2017-2018 Regular Sessions

IN ASSEMBLY

January 13, 2017

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

AN ACT to amend the agriculture and markets law, in relation to establishing microchipping standards; in relation to the registration of microchips; and in relation to the examination of rescued companion animals

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

Section 1. The agriculture and markets law is amended by adding two new sections 111-a and 111-b to read as follows:

§ 111-a. Microchipping standards. 1. The commissioner shall adopt and promulgate rules and regulations that provide for standardization of technology used in microchips implanted in companion animals and microchip readers. The standardization required pursuant to this section shall provide that such readers used by veterinarians, animal shelters, dog control officers, and animal control officers are capable of reading any chip to identify the animals and/or the owner of record.

2. The rules and regulations required by this section may provide for an advisory committee who shall advise the commissioner of the technical requirements necessary in creating universal frequency standards. The members of any such advisory committee shall serve without compensation.

§ 111-b. Registration of microchips. Any veterinarian or other individual or organization that implants microchips into companion animals shall register the microchip with a widely available microchip registration database listed with the Animal Hospital Association's Universal Microchip Lookup. Any cost associated with the implant or registration shall be at the discretion of the microchipping entity.

§ 2. The agriculture and markets law is amended by adding a new section 356-a to read as follows:

§ 356-a. Examination of rescued companion animals. 1. Any organization that receives rescued, seized, captured or impounded companion animals,

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

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such as any rescue group, veterinarian, laboratory, pound, shelter, society for the prevention of cruelty to animals, animal control officer, dog control officer, peace officer, and including, but not limited to shelters or pounds established or contracted pursuant to section one hundred nine of this chapter, shall examine every such companion animal within twenty-four hours of the intake of such animal.

2. Such organization shall examine the companion animal for:

(a) identifying marks including, but not be limited to, tattoos;

(b) identification tags;

(c) identifying microchips; and

(d) rabies license tags.

3. (a) Registered owners, caretakers or agents shall be contacted as soon as reasonably possible, by any method available from such identifying information, and alerted that such animal has been taken in and is available for redemption.

(b) If listed owners, caretakers or agents cannot be located or refuse to reclaim possession of such companion animal, secondary contacts listed shall be contacted as soon as reasonably possible.

4. (a) Any person or organization, including, but not limited to any shelter, veterinarian or animal control officer that contacts the registered owner, caretaker or agent of any companion animal in good faith is immune from criminal and civil liability, except for willful and wanton misconduct.

(b) This subdivision does not preclude civil or criminal liability for acts not directly related to attempts to contact registered owners, caretakers or agents.

§ 3. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized to be made on or before such date.