

# STATE OF NEW YORK

8951

## IN ASSEMBLY

January 9, 2018

Introduced by M. of A. L. 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, registration of microchips and the examination of seized animals; and to amend a chapter of the laws of 2017, amending the agriculture and markets law relating to establishing microchipping standards; relating to the registration of microchips; and relating to the examination of seized animals and animals taken possession of, as proposed in legislative bills numbers S. 4570-A and A. 1839-B, in relation to the effectiveness thereof; and to repeal certain provisions of the agriculture and markets law relating thereto

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

1 Section 1. Section 111-a of the agriculture and markets law, as added  
2 by a chapter of the laws of 2017, amending the agriculture and markets  
3 law relating to establishing microchipping standards; relating to the  
4 registration of microchips; and relating to the examination of seized  
5 animals and animals taken possession of, as proposed in legislative  
6 bills numbers S. 4570-A and A. 1839-B, is amended to read as follows:  
7 § 111-a. Microchipping standards. 1. The commissioner [~~shall~~] may  
8 adopt and promulgate rules and regulations that may provide for: stand-  
9 ardization of technology used in microchips implanted in companion  
10 animals that are dogs or cats; and /or microchip readers so that such  
11 readers used by veterinarians, animal shelters, dog control officers,  
12 and animal control officers are capable of reading any chip to identify  
13 the animals and/or the owner of record; and/or the need for such veteri-  
14 narians, animal shelters, dog control officers, and animal control offi-  
15 cers to possess or have access to a microchip reader capable of reading  
16 any commercially available microchip implanted in a cat or dog. Such  
17 rules and regulations [~~shall~~] may also provide for the collection, shar-  
18 ing, and dissemination of chip identification information by entities  
19 that possess and manage such information solely to promote timely  
20 notification of owners when pets are lost[~~r~~] while maintaining privacy

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

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1 protection of personal information and providing for disclosure to such  
2 owners of the sharing of such information.

3 2. The [~~rules and regulations required by this section may provide~~  
4 ~~for~~] commissioner shall appoint an advisory committee which shall  
5 include, but shall not be limited to, representatives of the animal  
6 microchip [~~community~~] industry and animal shelters who shall examine the  
7 issues described in subdivision one of this section and advise the  
8 commissioner on the [~~technical requirements necessary in creating~~  
9 ~~universal standards and access to identifying information. The members~~  
10 ~~of any such advisory committee shall serve without compensation~~] need  
11 for such rules and regulations.

12 § 2. Section 111-b of the agriculture and markets law, as added by a  
13 chapter of the laws of 2017, amending the agriculture and markets law  
14 relating to establishing microchipping standards; relating to the regis-  
15 tration of microchips; and relating to the examination of seized animals  
16 and animals taken possession of, as proposed in legislative bills  
17 numbers S. 4570-A and A. 1839-B, is REPEALED.

18 § 3. Section 3 of a chapter of the laws of 2017, amending the agricul-  
19 ture and markets law relating to establishing microchipping standards;  
20 relating to the registration of microchips; and relating to the examina-  
21 tion of seized animals and animals taken possession of, as proposed in  
22 legislative bills numbers S. 4570-A and A. 1839-B, is amended to read as  
23 follows:

24 § 3. This act shall take effect immediately, provided, however, that  
25 subdivision 2 of section 111-a of the agriculture and markets law, as  
26 added by section one of this act, shall expire two years after this act  
27 shall have become a law when upon such date the provisions of such  
28 subdivision shall be deemed repealed; and provided, further, that  
29 section two of this act shall take effect on the one hundred twentieth  
30 day after it shall have become a law[~~, provided however section two of~~  
31 ~~this act shall take effect upon the adoption of regulations by the~~  
32 ~~commissioner of agriculture pursuant to section one of this act,~~  
33 ~~provided, further, that the commissioner of agriculture shall notify the~~  
34 ~~legislative bill drafting commission upon the adoption of regulations~~  
35 ~~pursuant to section one of this act in order that the commission may~~  
36 ~~maintain an accurate and timely effective data base of the official text~~  
37 ~~of the laws of the state of New York in furtherance of effectuating the~~  
38 ~~provisions of section 44 of the legislative law and section 70-b of the~~  
39 ~~public officers law~~]. Effective immediately, the addition, amendment  
40 and/or repeal of any rule or regulation necessary for the implementation  
41 of this act on its effective date are authorized to be made on or before  
42 such date.

43 § 4. This act shall take effect immediately, provided, however that  
44 sections one and two of this act shall take effect on the same date and  
45 in the same manner as a chapter of the laws of 2017, amending the agri-  
46 culture and markets law relating to establishing microchipping stand-  
47 ards; relating to the registration of microchips; and relating to the  
48 examination of seized animals and animals taken possession of, as  
49 proposed in legislative bills numbers S. 4570-A and A. 1839-B, takes  
50 effect.