

# STATE OF NEW YORK

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6565

2017-2018 Regular Sessions

## IN SENATE

June 2, 2017

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

AN ACT to amend the agriculture and markets law, in relation to examining the need for standards for the designation of therapy dogs and the definition and identification of therapy dogs

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

1 Section 1. The commissioner of agriculture and markets shall examine  
2 the need for statewide standards for therapy dogs, as such term is  
3 defined in subdivision 26 of section 108 of article 7 of the agriculture  
4 and markets law, including, but not limited to, training, evaluation and  
5 certification procedures for the designation of a dog as a "therapy dog"  
6 and the need for identification, education and information for the  
7 public about such dogs, the rights and responsibilities of such dog  
8 owners, the use of such dogs in institutions and facilities and the  
9 distinction between such dogs and service dogs or animals and other  
10 similar dogs or animals such as emotional support animals. The commis-  
11 sioner shall consult with the commissioners of health and human rights  
12 and representatives of the dog training industry, the disability commu-  
13 nity, animal protection organizations, the business community, local  
14 government officials and others in reviewing the need for the establish-  
15 ment of such state standards and any other recommendations related to  
16 the commissioner's findings. The commissioner shall report to the gover-  
17 nor, the temporary president of the senate and the speaker of the assem-  
18 bly no later than October 1, 2018 on the commissioner's findings regard-  
19 ing the need for standards and public information regarding therapy  
20 dogs.

21 § 2. Subdivision 26 of section 108 of the agriculture and markets law,  
22 as amended by chapter 536 of the laws of 2014, is amended to read as  
23 follows:

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

LBD10693-06-7

1 26. "Therapy dog" means any dog that is trained to aid the emotional  
2 and physical health of patients in hospitals, nursing homes, retirement  
3 homes and other settings and is actually used for such purpose, or any  
4 dog during the period such dog is being trained or bred for such  
5 purpose, and does not qualify under federal or state law or regulations  
6 as a service dog.

7 § 3. Subdivision 4 of section 111 of the agriculture and markets law,  
8 as amended by section 6 of part T of chapter 59 of the laws of 2010, is  
9 amended to read as follows:

10 4. A municipality offering a license for any guide dog, service dog,  
11 hearing dog, therapy dog or detection dog may issue a special tag for  
12 identifying such dog, provided that such tag shall be in addition to the  
13 identification tag required by subdivision one of this section. The  
14 municipality may prescribe the shape, size, color, and form of imprint  
15 of the tag which shall be a different color and shape than the standard  
16 identification tag. Upon application, the commissioner shall furnish  
17 such tags without payment of a fee.

18 § 4. Paragraph (c) of subdivision 1 of section 118 of the agriculture  
19 and markets law, as amended by section 14 of part T of chapter 59 of the  
20 laws of 2010, is amended to read as follows:

21 (c) any person to knowingly affix to any dog any false or improper  
22 identification tag, special identification tag for identifying guide,  
23 service, therapy or hearing dogs or purebred license tag;

24 § 5. This act shall take effect immediately.