

STATE OF NEW YORK

7415--A

IN SENATE

January 16, 2018

Introduced by Sens. MARCELLINO, MARCHIONE -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law and the general obligations law, in relation to certain lease agreements concerning dogs and cats

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

1 Section 1. The general business law is amended by adding a new section
2 753-e to read as follows:

3 § 753-e. Prohibited contracts. No pet dealer licensed and inspected
4 pursuant to article twenty-six-A of the agriculture and markets law
5 shall execute or facilitate the execution of any contract or agreement
6 deemed void as against public policy and wholly unenforceable pursuant
7 to section 5-336 of the general obligations law.

8 § 2. The general obligations law is amended by adding a new section
9 5-336 to read as follows:

10 § 5-336. Pet leasing. 1. Any contract or agreement executed to trans-
11 fer ownership of a dog or cat whereby ownership is contingent upon the
12 making of payments over a period of time subsequent to the transfer of
13 possession of such dog or cat shall be void as against public policy and
14 wholly unenforceable, provided however, that this subdivision shall not
15 apply to payments to repay an unsecured loan for the purchase of the dog
16 or cat.

17 2. Any contract or agreement executed for the lease of a dog or cat
18 that provides for or offers the option of transferring ownership of such
19 dog or cat at the end of the lease term shall be void as against public
20 policy and wholly unenforceable.

21 3. In addition to any other remedy provided by law, any person taking
22 possession of a dog or cat transferred to such person under any contract
23 or agreement executed pursuant to subdivisions one or two of this
24 section shall be deemed the owner of such dog or cat and shall also be
25 entitled to reimbursement of all amounts paid by such person for such
26 dog or cat pursuant to such contract.

27 § 3. This act shall take effect on the ninetieth day after it shall
28 have become a law.

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

LBD14227-02-8