STATE OF NEW YORK

4800

2017-2018 Regular Sessions

IN ASSEMBLY

February 3, 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 penalties for an owner whose dog bites a person with a disability's service dog, guide dog or hearing dog

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

Section 1. Subdivision 7 of section 123 of the agriculture and markets law, as amended by chapter 526 of the laws of 2005 and such section as renumbered by section 18 of part T of chapter 59 of the laws of 2010, is amended to read as follows:

7. The owner of a dog who, through any act or omission, negligently permits his or her dog to bite a person*, service dog, guide dog or hearing dog* causing serious physical injury shall be subject to a civil penalty not to exceed one thousand five hundred dollars in addition to any other applicable penalties. Any such penalty may be reduced by any amount which is paid as restitution by the owner of the dog to the person or persons*, or owner or owners of the service dog, guide dog, or hearing dog* suffering serious physical injury as compensation for unreimbursed medical expenses, lost earnings and other damages resulting from such injury.

§ 2. This act shall take effect immediately.

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

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