

# STATE OF NEW YORK

551

2017-2018 Regular Sessions

## IN ASSEMBLY

January 9, 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 estab-  
lishing and implementing training programs for dog control officers

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

1 Section 1. The agriculture and markets law is amended by adding a new  
2 section 113-a to read as follows:

3 § 113-a. Training program for dog control officers. 1. The department  
4 shall establish and implement a training program for dog control offi-  
5 cers.

6 2. (a) Except as provided in paragraph (b), (c) or (d) of this subdi-  
7 vision, any person appointed by a local government as a dog control  
8 officer shall complete a course of training approved by the department.  
9 Any person employed on the effective date of this section as a dog  
10 control officer shall complete the first such training program no later  
11 than January first, two thousand nineteen. Any person appointed after  
12 the effective date of this section shall complete such training by Janu-  
13 ary first, two thousand nineteen or within one hundred eighty days of  
14 such appointment, whichever is later. Documentation that such person has  
15 completed such training shall be maintained by the local government and  
16 be made available to the department upon request.

17 (b) Any local government, including a local government that provides  
18 dog control officer services by a contract pursuant to subdivision two  
19 of section one hundred thirteen of this article, and any incorporated  
20 humane society or similar incorporated dog protective association that  
21 provides dog control officer services by a contract with a local govern-  
22 ment pursuant to subdivision two of section one hundred thirteen of  
23 this article is responsible for ensuring that the dog control training  
24 required by this section is completed.

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

LBD04936-01-7

1 (c) A veterinarian licensed pursuant to article one hundred thirty-  
2 five of the education law shall be exempt from the training program  
3 required by this section.

4 (d) A local government that employs a dog control officer may elect  
5 not to participate in the training program required by this section if  
6 such local government has a training program for dog control officers  
7 that meets the requirements set forth in subdivision three of this  
8 section, and is approved by the department. The governing body of a  
9 local government that elects to conduct its own dog control officer  
10 program must do so by adopting a resolution declaring that it will  
11 conduct its own training program and providing such resolution to the  
12 department.

13 3. The training program required by this section shall include train-  
14 ing regarding:

15 (a) the scope of the responsibilities of the dog control officer;

16 (b) appropriate and humane handling of animals, including transporting  
17 animals safely, general animal control and proper methods for capturing  
18 animals;

19 (c) the laws and rules regarding dog licensing;

20 (d) the laws and rules regarding search and seizure relevant to dog  
21 control officers;

22 (e) proper disposal of the remains of deceased animals;

23 (f) identification and notification of an animal's owner; and

24 (g) other subject matter relevant to dog control officers as deemed  
25 necessary or appropriate by the commissioner.

26 4. The department shall, in consultation with individuals and organ-  
27 izations involved with animal care and control that the commissioner  
28 deems appropriate, identify and approve a model training program for dog  
29 control officers to meet the requirements of subdivisions two and three  
30 of this section that is both cost-effective and accessible. The depart-  
31 ment shall make information about such program available upon its inter-  
32 net website. Such program may be provided in an internet-based format.  
33 If the department does not approve an internet-based format, the depart-  
34 ment shall ensure that the training program is available in various  
35 regions of the state in order to ensure reasonable accessibility for dog  
36 control officers.

37 5. The department is authorized to promulgate rules, regulations and  
38 standards for implementation of the training program including rules for  
39 approval and implementation of local training programs, rules for  
40 compliance by dog control officers and the frequency with which such  
41 officers shall be required to complete the training program.

42 6. The commissioner or any local government that establishes its own  
43 training program may solicit and accept funds from any private source or  
44 from any duly incorporated not-for-profit humane society, society for  
45 the prevention of cruelty to animals or animal protective association to  
46 carry out the training provisions of this section.

47 § 2. This act shall take effect immediately; provided that the addi-  
48 tion, amendment and/or repeal of any rule or regulation necessary for  
49 the implementation of this act on its effective date takes place within  
50 eighteen months of the effective date.