

# STATE OF NEW YORK

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6801--A

2017-2018 Regular Sessions

## IN ASSEMBLY

March 17, 2017

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Introduced by M. of A. TITONE, NIOU, BENEDETTO, HUNTER, McDONOUGH, ABINANTI, KEARNS, TITUS, MOYA, M. G. MILLER, D'URSO, COOK, RAIA, RA, ERRIGO, MONTESANO, CASTORINA, LAWRENCE, M. L. MILLER, HARRIS, JENNE -- Multi-Sponsored by -- M. of A. ABBATE, HYNDMAN, WRIGHT -- read once and referred to the Committee on Agriculture -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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-

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

LBD10693-04-7

1 ing the need for standards and public information regarding therapy  
2 dogs.

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

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

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

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

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

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

29 § 5. This act shall take effect immediately.