

# STATE OF NEW YORK

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8684

2017-2018 Regular Sessions

## IN ASSEMBLY

September 25, 2017

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Introduced by M. of A. ROSENTHAL -- read once and referred to the  
Committee on Judiciary

AN ACT to amend the real property actions and proceedings law, in  
relation to the presence of a companion animal when executing a  
warrant for eviction or dispossession of property

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

1 Section 1. Subdivision 2 of section 749 of the real property actions  
2 and proceedings law, as amended by chapter 256 of the laws of 2009, is  
3 amended to read as follows:

4 2. (a) The officer to whom the warrant is directed and delivered shall  
5 give at least seventy-two hours notice, excluding any period which  
6 occurs on a Saturday, Sunday or a public holiday, in writing and in the  
7 manner prescribed in this article for the service of a notice of peti-  
8 tion, to the person or persons to be evicted or dispossessed and shall  
9 execute the warrant between the hours of sunrise and sunset.

10 (b) Such officer shall check such property for the presence of a  
11 companion animal prior to executing such warrant and coordinate with  
12 such person or persons to be evicted or dispossessed for the safe  
13 removal of such companion animal. "Companion animal," as used in this  
14 paragraph, shall have the same meaning as in subdivision five of section  
15 three hundred fifty of the agriculture and markets law.

16 § 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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