

# STATE OF NEW YORK

302

2017-2018 Regular Sessions

## IN SENATE

(Prefiled)

January 4, 2017

Introduced by Sen. MURPHY -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to inspection of pet dealers

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

1 Section 1. Subdivision 1 of section 405 of the agriculture and markets  
2 law, as added by chapter 259 of the laws of 2000, is amended to read as  
3 follows:

4 1. (a) The commissioner or his or her authorized agents shall, at a  
5 minimum, make yearly inspections of pet dealers' facilities to ensure  
6 compliance with the provisions of this article and with the provisions  
7 of article thirty-five-D of the general business law, except for those  
8 pet dealers who engage in the sale of less than twenty-five animals in a  
9 year, in which case inspections shall be made whenever in the discretion  
10 of the commissioner or his or her authorized agents, a complaint  
11 warrants such investigation.

12 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-  
13 sion, the commissioner shall immediately or as soon as practicable, upon  
14 the filing, which shall include an affidavit from the department attest-  
15 ing to the belief that violations have been made, of any charge of  
16 violating any provision of article twenty-six of this chapter or section  
17 four hundred one of this article against a pet dealer, cause an  
18 inspection to be made of such pet dealer's facilities, including any  
19 facilities for the retail sale of animals. Thereafter, an inspection  
20 thereof shall be conducted at the pet dealer's facilities once every two  
21 months until there is a final disposition on such charges. After a  
22 final disposition in which the pet dealer is found guilty of any charge,  
23 such pet dealer's facilities shall be inspected on a quarterly basis for  
24 a period of one year; provided, however, if, after final disposition,

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

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1 the pet dealer is not found guilty of any charge, such pet dealer's  
2 facilities shall be inspected in accordance with paragraph (a) of this  
3 subdivision.

4 § 2. This act shall take effect on the first of January next succeed-  
5 ing the date on which it shall have become a law.