

# STATE OF NEW YORK

4570

2017-2018 Regular Sessions

## IN SENATE

February 17, 2017

Introduced by Sen. TEDISCO -- 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 establishing microchipping standards; in relation to the registration of microchips; and in relation to the examination of rescued companion animals

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

1 Section 1. The agriculture and markets law is amended by adding two  
2 new sections 111-a and 111-b to read as follows:

3 § 111-a. Microchipping standards. 1. The commissioner shall adopt and  
4 promulgate rules and regulations that provide for standardization of  
5 technology used in microchips implanted in companion animals and micro-  
6 chip readers. The standardization required pursuant to this section  
7 shall provide that such readers used by veterinarians, animal shelters,  
8 dog control officers, and animal control officers are capable of reading  
9 any chip to identify the animals and/or the owner of record.

10 2. The rules and regulations required by this section may provide for  
11 an advisory committee who shall advise the commissioner of the technical  
12 requirements necessary in creating universal frequency standards. The  
13 members of any such advisory committee shall serve without compensation.

14 § 111-b. Registration of microchips. Any veterinarian or other indi-  
15 vidual or organization that implants microchips into companion animals  
16 shall register the microchip with a widely available microchip registra-  
17 tion database listed with the Animal Hospital Association's Universal  
18 Microchip Lookup. Any cost associated with the implant or registration  
19 shall be at the discretion of the microchipping entity.

20 § 2. The agriculture and markets law is amended by adding a new  
21 section 356-a to read as follows:

22 § 356-a. Examination of rescued companion animals. 1. Any organization  
23 that receives rescued, seized, captured or impounded companion animals,

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

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1 such as any rescue group, veterinarian, laboratory, pound, shelter,  
2 society for the prevention of cruelty to animals, animal control offi-  
3 cer, dog control officer, peace officer, and including, but not limited  
4 to shelters or pounds established or contracted pursuant to section one  
5 hundred nine of this chapter, shall examine every such companion animal  
6 within twenty-four hours of the intake of such animal.

7 2. Such organization shall examine the companion animal for:

8 (a) identifying marks including, but not be limited to, tattoos;

9 (b) identification tags;

10 (c) identifying microchips; and

11 (d) rabies license tags.

12 3. (a) Registered owners, caretakers or agents shall be contacted as  
13 soon as reasonably possible, by any method available from such identify-  
14 ing information, and alerted that such animal has been taken in and is  
15 available for redemption.

16 (b) If listed owners, caretakers or agents cannot be located or refuse  
17 to reclaim possession of such companion animal, secondary contacts list-  
18 ed shall be contacted as soon as reasonably possible.

19 4. (a) Any person or organization, including, but not limited to any  
20 shelter, veterinarian or animal control officer that contacts the regis-  
21 tered owner, caretaker or agent of any companion animal in good faith is  
22 immune from criminal and civil liability, except for willful and wanton  
23 misconduct.

24 (b) This subdivision does not preclude civil or criminal liability for  
25 acts not directly related to attempts to contact registered owners,  
26 caretakers or agents.

27 § 3. This act shall take effect on the one hundred twentieth day after  
28 it shall have become a law. Effective immediately, the addition, amend-  
29 ment and/or repeal of any rule or regulation necessary for the implemen-  
30 tation of this act on its effective date is authorized to be made on or  
31 before such date.