

# STATE OF NEW YORK

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5080--B

2017-2018 Regular Sessions

## IN SENATE

March 7, 2017

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Introduced by Sens. KENNEDY, HOYLMAN, PERALTA -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Investigations and Government Operations in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law and the agriculture and markets law, in relation to therapy dogs for persons with disabilities

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

1 Section 1. Subdivision 14 of section 296 of the executive law, as  
2 amended by chapter 141 of the laws of 2015, is amended to read as  
3 follows:

4 14. In addition to reasonable modifications in policies, practices, or  
5 procedures, including those defined in subparagraph (iv) of paragraph  
6 (d) of subdivision two of this section or reasonable accommodations for  
7 persons with disabilities as otherwise provided in this section, includ-  
8 ing the use of an animal as a reasonable accommodation, it shall be an  
9 unlawful discriminatory practice for any person engaged in any activity  
10 covered by this section to deny access or otherwise to discriminate  
11 against a blind person, a hearing impaired person or a person with  
12 another disability because he or she is accompanied by a therapy dog, as  
13 defined in subdivision twenty-six of section one hundred eight of the  
14 agriculture and markets law, a dog that has been trained to work or  
15 perform specific tasks for the benefit of such person by a professional  
16 guide dog, hearing dog or service dog training center or professional  
17 guide dog, hearing dog or service dog trainer, or to discriminate  
18 against such therapy dog, professional guide dog, hearing dog or service  
19 dog trainer engaged in such training of a dog for use by a person with a

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

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1 disability, whether or not accompanied by the person for whom the dog is  
2 being trained. This subdivision shall apply regardless of breed.

3 § 2. Subdivision 26 of section 108 of the agriculture and markets law,  
4 as amended by chapter 497 of the laws of 2017, 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, personal residences, and other settings and is actually used for  
9 such purpose, or any dog during the period such dog is being trained or  
10 bred for such purpose, and does not qualify under federal or state law  
11 or regulations as a service dog.

12 § 3. Subdivision 1 of section 356 of the executive law is amended to  
13 read as follows:

14 1. A state veterans' service agency established by the division pursu-  
15 ant to this article shall have power and it shall be its duty to inform  
16 military and naval authorities of the United States and assist members  
17 of the armed forces and veterans, who are residents of this state, and  
18 their families, in relation to (1) matters pertaining to educational  
19 training and retraining services and facilities, (2) health, medical and  
20 rehabilitation services and facilities, (3) provisions of federal, state  
21 and local laws and regulations affording special rights and privileges  
22 to members of the armed forces and war veterans and their families, (4)  
23 employment and re-employment services, ~~and~~ (5) housing services  
24 including but not limited to instances of discrimination, and (6) other  
25 matters of similar, related or appropriate nature. The state veterans'  
26 service agency also shall perform such other duties as may be assigned  
27 by the state director.

28 § 4. This act shall take effect immediately.