

# STATE OF NEW YORK

9137

## IN ASSEMBLY

January 23, 2020

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

AN ACT to amend the education law, in relation to requiring higher education research facilities to provide information to the department of education regarding dogs or cats available for adoption

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

1 Section 1. Subdivision 1 of section 239-b of the education law, as  
2 added by chapter 240 of the laws of 2016, is amended and two new subdivi-  
3 sions 4 and 5 are added to read as follows:

4 1. A higher education research facility that receives public money,  
5 including tax-exempt status, or a facility that provides research in  
6 collaboration with a higher education facility shall after the  
7 completion of any testing or research involving a dog or cat, assess the  
8 health of the dog or cat and determine whether it is suitable for  
9 adoption. Such facility shall thereafter make reasonable efforts,  
10 including, but not limited to, efforts specified in subdivision four of  
11 this section, to offer for adoption the dog or cat determined to be  
12 suitable for adoption, either through private placement or through an  
13 animal rescue and shelter organization, a duly incorporated society for  
14 the prevention of cruelty to animals, a duly incorporated humane socie-  
15 ty, or a duly incorporated animal protective association that operates  
16 physical animal sheltering facilities and offers household pets to the  
17 public for adoption by way of an established adoption program, prior to  
18 euthanizing such dog or cat. All animal rescues, organizations, associ-  
19 ations and societies selected by the higher education research facility  
20 to adopt such animals shall be exempt from taxes pursuant to paragraph  
21 (3) of subsection (c) of section 501 of the federal Internal Revenue  
22 Code, 26 U.S.C. 501, or any subsequent corresponding sections of the  
23 federal Internal Revenue Code, as from time to time amended. Nothing in  
24 this section shall create a duty upon such an organization, association  
25 or society to accept a dog or cat offered by a higher education research  
26 facility for adoption.

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

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1 4. (a) A facility that is required to offer dogs or cats for adoption  
2 under this section shall provide to the department relevant information  
3 about each dog or cat that is available for adoption, including, but not  
4 limited to:

5 (1) the species;

6 (2) the breed, if known;

7 (3) the approximate age; and

8 (4) the sex.

9 (b) The department shall post such information regarding each dog or  
10 cat that is available for adoption on the department's website promptly  
11 after receiving the information from the facility. A facility that is  
12 required to offer dogs or cats for adoption under this section shall  
13 hold such dogs and cats for at least fourteen days from the date of  
14 posting of the availability of such dog or cat for adoption on the  
15 department's website in order to provide an opportunity for private  
16 placement or placement with such animal rescues, organizations, associ-  
17 ations, and societies specified in subdivision one of this section.

18 5. The department shall promulgate regulations as shall be necessary  
19 to implement the provisions of this section.

20 § 2. This act shall take effect on the sixtieth day after it shall  
21 have become a law. Effective immediately, the addition, amendment  
22 and/or repeal of any rule or regulation necessary for the implementation  
23 of this act on its effective date are authorized to be made and  
24 completed on or before such effective date.