STATE OF NEW YORK

5823--A

2021-2022 Regular Sessions

IN ASSEMBLY

February 25, 2021

Introduced by M. of A. L. ROSENTHAL, GOTTFRIED, LAVINE, McDONALD, SIMON -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to mandating the reporting of suspected animal cruelty by veterinarians

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

Section 1. Paragraphs (a) and (b) of subdivision 2 of section 6714 of the education law, as added by chapter 653 of the laws of 2003, are amended to read as follows:

(a) When a veterinarian reasonably and in good faith suspects that a companion animal's injury, illness or condition is the result of animal cruelty [~~or a~~] **in** violation of [~~any state or federal law pertaining to the care, treatment, abuse or neglect of a companion animal~~] **section three hundred fifty-one, three hundred fifty-three or three hundred fifty-three-a of the agriculture and markets law**, the veterinarian [~~may~~] **shall** report the incident and disclose records concerning the companion animal's condition and treatment to [~~the police, duly incorporated society for the prevention of cruelty to animals, peace officer, district attorney's office, animal control officer, department of agriculture and markets, other appropriate government agency, or any agent thereof~~] **any officer or agent authorized pursuant to sections three hundred seventy-one and three hundred seventy-three of the agriculture and markets law to respond to and investigate complaints of animal cruelty. The identity of such veterinarian making a report pursuant to this paragraph shall only be made available to an officer or agent authorized pursuant to section three hundred seventy-one or three hundred seventy-three of the agriculture and markets law**.

(b) When a veterinarian reasonably believes that disclosure of records as defined in this section, is necessary to protect the health or

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

LBD00524-07-1

welfare of a companion animal, a person or the public, the veterinarian may disclose such records to [~~the police, duly incorporated society for the prevention of cruelty to animals, peace officer, animal control officer, department of agriculture and markets, other appropriate government agency, or any agent thereof~~] any officer or agent authorized pursuant to sections three hundred seventy-one and three hundred seventy-three of the agriculture and markets law to respond to and investigate complaints of animal cruelty. The identity of such veterinarian making a disclosure of records pursuant to this paragraph shall only be made available to an officer or agent authorized pursuant to section three hundred seventy-one or three hundred seventy-three of the agriculture and markets law.

(c) Any such veterinarian who reports an incident or discloses records concerning a companion animal's condition and treatment pursuant to paragraph (a) or (b) of this subdivision shall be entitled to receive and be provided with, at no cost to such veterinarian, written or electronic documentation of such report by the agent or officer to whom such report was made. Such report shall include but not be limited to the date such report was made, the identity of the individual against whom such report was made, the species and description of the animal about which such report was made, the nature of the injuries to the animal and the name and license number of the veterinarian who made such report.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.