

# STATE OF NEW YORK

6084--A

2021-2022 Regular Sessions

## IN SENATE

April 7, 2021

Introduced by Sen. BOYLE -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- recommitted to the Committee on Higher Education 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 education law, in relation to disclosure of the cause of death of certain companion animals; to amend the agriculture and markets law, in relation to authorizing the inspection of pet dealers' facilities upon certain deaths of companion animals and in relation to requiring that the department develop a rating system for pet dealers and make certain information available on the department's website; and to amend the general business law, in relation to requiring pet dealers to reimburse consumers if an animal dies within six months of the sale of such animal

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

1 Section 1. Section 6714 of the education law is amended by adding a  
2 new subdivision 5 to read as follows:

3 5. A veterinarian licensed pursuant to this article shall disclose the  
4 cause of death and may disclose any other relevant records for a compan-  
5 ion animal to the department of agriculture and markets when such  
6 companion animal's death is due to illness, disease, or congenital  
7 condition and such death occurs within six months of the owner obtaining  
8 such companion animal from a pet dealer, as defined in section four  
9 hundred of the agriculture and markets law. Such disclosure shall be  
10 made on a form provided by the department of agriculture and markets and  
11 shall include the name and address of the pet dealer from which the  
12 companion animal was obtained.

13 § 2. Section 405 of the agriculture and markets law is amended by  
14 adding a new subdivision 4 to read as follows:

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

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1 4. The commissioner or his or her authorized agents may conduct an  
2 inspection of pet dealers' facilities whenever in the discretion of the  
3 commissioner or his or her authorized agents a disclosure required  
4 pursuant to subdivision five of section sixty-seven hundred fourteen of  
5 the education law warrants such investigation. Where the department has  
6 received more than one such disclosure, the department may commission  
7 with the society for the prevention of cruelty to animals or animal  
8 control agency located within the county in which the office of the  
9 veterinarian making such disclosure is located to inspect the pet deal-  
10 ers' facilities and to audit the paperwork for all companion animals in  
11 such pet dealers' facilities to ensure such companion animals were  
12 purchased from a breeder licensed by the state.

13 § 3. Subdivision 11 of section 403 of the agriculture and markets law,  
14 as added by chapter 259 of the laws of 2000, is amended to read as  
15 follows:

16 11. Pet dealers shall conspicuously display their license on the prem-  
17 ises where the animals are kept for sale so that they may be readily  
18 seen by potential consumers. Pet dealers shall also conspicuously  
19 display on the window of the premises a placard containing information  
20 for the department's website and where on such website customers can  
21 access such pet dealer's rating, inspection reports, and copies of  
22 documentation relating to the death of any companion animals sold by  
23 such pet dealer. Any pet dealer that does not display such placard  
24 shall be fined five hundred dollars for a first offense, one thousand  
25 dollars for a second offense, and two thousand five hundred dollars for  
26 a third and any subsequent offense.

27 § 4. Section 16 of the agriculture and markets law is amended by  
28 adding a new subdivision 50-a to read as follows:

29 50-a. Develop a rating system for pet dealers within the state based  
30 on the results of inspections conducted pursuant to section four hundred  
31 five of this chapter and the receipt of disclosures of the cause of  
32 death and any other relevant records for a companion animal's cause of  
33 death. The rating of each pet dealer, the inspection reports of each  
34 pet dealer, and any disclosure or other record relating to the cause of  
35 death of a companion animal sold by each pet dealer shall be made avail-  
36 able on the department's website.

37 § 5. Section 753 of the general business law is amended by adding a  
38 new subdivision 1-a to read as follows:

39 1-a. If, within one hundred eighty calendar days following the sale of  
40 an animal subject to this article or receipt of the written notice  
41 required by section seven hundred fifty-four of this article, whichever  
42 occurred last, such animal dies, the consumer shall receive reimburse-  
43 ment from the pet dealer for the cost of the animal and for any veteri-  
44 nary services from a licensed veterinarian of the consumer's choosing,  
45 for the purpose of attempting to cure the animal. Such reimbursement  
46 shall be made by the pet dealer not later than ten business days follow-  
47 ing receipt of documentation confirming the death of such animal and a  
48 signed veterinary certification as herein required. Such documentation  
49 and veterinary certification shall be presented to the pet dealer not  
50 later than three business days following receipt thereof by the consum-  
51 er.

52 § 6. This act shall take effect on the sixtieth day after it shall  
53 have become a law. Effective immediately, the addition, amendment and/or  
54 repeal of any rule or regulation necessary for the implementation of  
55 this act on its effective date are authorized to be made and completed  
56 on or before such effective date.