STATE OF NEW YORK

6209

2021-2022 Regular Sessions

IN SENATE

April 15, 2021

Introduced by Sen. SERRANO -- 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 informed consent of owners for euthanasia of a pet

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

Section 1. Short title. This act shall be known and may be cited as "Sir Henry's law".

§ 2. The agriculture and markets law is amended by adding a new section 353-g to read as follows:

§ 353-g. Humane euthanasia of companion animals; owner informed consent. 1. Prior to the humane euthanasia of a companion animal which is not lost, strayed, homeless or abandoned, the veterinarian, who will perform such procedure upon the animal, shall explain to the companion animal owner, who grants consent to having the companion animal euthanized, in a truthful and easy to understand manner:

(a) the various methods which can be utilized to humanely euthanize the companion animal;

(b) the benefits and risks of each such method;

(c) the negative impacts upon the animal of each such method;

(d) the alternative method of humane euthanasia to be utilized if the preferred method cannot be humanely utilized, and the negative impacts and risks of the alternative method; and

(e) fully answer any questions the companion animal owner has with regard to euthanizing the owner's pet.

2. No companion animal which is not lost, strayed, homeless or abandoned shall be euthanized by means of intracardiac injection unless the animal is heavily sedated, anesthetized or comatose. However, a licensed veterinarian may perform euthanasia by intracardiac injection upon animals that are not heavily sedated, anesthetized or comatose only when such licensed veterinarian determines that such intracardiac injection

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

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is the most humane option available. Whenever a cardiac injection is administered by a licensed veterinarian upon an animal that is not heavily sedated, anesthetized or comatose, such veterinarian shall document, in writing, the administration of such injection and the reason for its administration. Such documentation shall be retained for at least three years.

3. The owner of a companion animal that is humanely euthanized shall be allowed to remain with his or her pet during the entire process of euthanasia, including when death is confirmed.

4. Both the veterinarian, who humanely euthanizes a companion animal, and the owner of such animal shall sign a form, established by the department, stating that the provisions of this section have been fully complied with, that all humane euthanasia methods have been considered and explained, and all questions relating to the euthanasia process have been answered to the owner's satisfaction.

5. The department may promulgate any rules and regulations necessary to implement the provisions of this section.

§ 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law. Effective immediately, any actions necessary to implement the provisions of this act on its effective date are authorized to be made and completed on or before such date.