

# STATE OF NEW YORK

7048

2021-2022 Regular Sessions

## IN SENATE

May 26, 2021

Introduced by Sen. BORRELLO -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the executive law, in relation to establishing the canine officer health monitoring fund

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

1 Section 1. The executive law is amended by adding a new section  
2 837-d-1 to read as follows:

3 § 837-d-1. Canine officer health monitoring fund. 1. As used in this  
4 section, the following terms have the following meanings:

5 (a) "Canine officer" shall mean a dog that is specifically trained to  
6 assist police and other law-enforcement personnel.

7 (b) "Applicant" means a state agency, municipal corporation, public  
8 authority, public benefit corporation, or the highest official thereof.

9 2. An applicant which is authorized to and employs canine officers may  
10 apply to the commissioner for reimbursement of funds expended for all  
11 health costs related to regular health or injury associated with canine  
12 officers.

13 3. The commissioner shall require any applicant seeking reimbursement  
14 for health costs related to regular health or injury associated with  
15 canine officers to apply for any available federal funds. Any applicant  
16 failing to do so shall not be entitled to reimbursement under this  
17 section. The commissioner may waive such failure for good cause. The  
18 commissioner shall maintain a public record of all such waivers and the  
19 reasons therefor. Reimbursement may be withheld pending the determi-  
20 nation of an application for federal funds.

21 4. An applicant for reimbursement pursuant to this section shall  
22 report the name of each canine officer for whom reimbursement is sought.  
23 The applicant shall report whether such canine officer or officers have,  
24 at any time during the ten years immediately preceding the application  
25 for reimbursement, had any health costs for which reimbursement pursuant

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

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1 to this section was provided, the date of any such prior reimbursement  
2 and any other information that the commissioner may require for accurate  
3 record-keeping and accountability.

4 5. The amount of any reimbursement authorized to be made pursuant to  
5 this section shall be reduced by the amount of any federal funds granted  
6 to the applicant for the purpose of health costs related to regular  
7 health or injury associated with canine officers, and by the amount of  
8 any other funds received directly or indirectly for that purpose by the  
9 applicant.

10 6. Nothing contained in this section shall be construed to prohibit an  
11 applicant from expending its own funds for health costs related to regu-  
12 lar health or injury associated with canine officers in amounts exceed-  
13 ing the established state reimbursement limitations.

14 7. The commissioner is authorized to promulgate rules and regulations  
15 to provide for the orderly effectuation of the provisions of this  
16 section.

17 § 2. Section 837 of the executive law is amended by adding a new  
18 subdivision 23 to read as follows:

19 23. (a) Maintain and annually update a list of claims made to the  
20 division for reimbursement for health costs related to regular health or  
21 injury associated with canine officers along with relevant data relating  
22 to such reimbursement. Such data shall include, but not be limited to:

23 (i) the name of the canine officer;  
24 (ii) the department or agency the canine officer is employed by;  
25 (iii) the age of the canine;  
26 (iv) the canine's years of service;  
27 (v) the canine's primary job purpose;  
28 (vi) the canine's secondary purpose, if applicable;  
29 (vii) any injuries or regular health maintenance;  
30 (viii) the county in which the canine is employed and any secondary  
31 counties that the canine is located;  
32 (ix) canine breed;  
33 (x) whether the canine is currently retired; and  
34 (xi) any other relevant data as determined appropriate by the divi-  
35 sion.

36 (b) For purposes of this subdivision, "job purpose" shall mean one of  
37 the following:

38 (i) narcotic detection;  
39 (ii) explosives detection;  
40 (iii) officer protection;  
41 (iv) tracking/searches;  
42 (v) cadaver;  
43 (vi) therapy; or  
44 (vii) other.

45 (c) Any de-identified information or data shall be made available  
46 through a freedom of information request pursuant to article six of the  
47 public officers law.

48 § 3. This act shall take effect immediately.