STATE OF NEW YORK

8118

2021-2022 Regular Sessions

IN ASSEMBLY

June 11, 2021

Introduced by M. of A. McDONOUGH -- read once and referred to the Committee on Agriculture

AN ACT to amend the general business law, in relation to requiring retail pet shops to provide information to the department of agriculture and markets relating to where the shop received each animal and how much the shop paid for each animal

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

Section 1. Section 753-f of the general business law, as added by a chapter of the laws of 2021, amending the agriculture and markets law and the general business law relating to the sale of dogs, cats and rabbits, as proposed in legislative bills numbers S. 1130 and A. 4283, is amended to read as follows:

§ 753-f. Sale of dogs, cats and rabbits prohibited. A retail pet shop as defined in this article shall not sell, lease, offer to lease, offer to sell, barter, auction, or otherwise transfer ownership of any dog, cat or rabbit**; provided, however, that a retail pet shop that is licensed pursuant to section four hundred three of the agriculture and markets law may sell, lease, offer to lease, offer to sell, barter, auction, or otherwise transfer ownership of any dog, cat or rabbit when such shop provides information on where the retail pet shop received each animal and how much money such shop paid to obtain each animal. Such information shall be provided to the department of agriculture and markets upon application for a license or a renewal license as a pet dealer pursuant to section four hundred three of the agriculture and markets law**. This section shall not be construed to prohibit a retail pet shop from collaborating with the following entities to provide space to showcase dogs, cats or rabbits owned by these entities for the purpose of adoption; any duly incorporated society for the prevention of cruelty to animals, duly incorporated humane society, duly incorporated animal protective association or other duly incorporated animal adoption

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

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or animal rescue organization that is exempt from taxes pursuant to paragraph (3) of subsection (c) of section 501 of the federal Internal Revenue Code, 26 U.S.C. 501, or any subsequent corresponding sections of the federal Internal Revenue Code, as from time to time amended, that is registered with the department pursuant to section four hundred eight of the agriculture and markets law that is not affiliated with, or housed on the premises of a breeder or broker that does not obtain dogs, cats or rabbits from a breeder or broker in exchange for payment or compensation, and does not resell dogs, cats or rabbits obtained from a breeder or broker or provide payment or compensation to such breeder or broker.

§ 2. This act shall take effect immediately; provided, however, that if a chapter of the laws of 2021, amending the agriculture and markets law and the general business law relating to the sale of dogs, cats and rabbits, as proposed in legislative bills numbers S. 1130 and A. 4283, shall not have taken effect on or before such date, then this act shall take effect on the same date and in the same manner as such chapter of the laws of 2021, takes effect.