STATE OF NEW YORK

461

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. BIAGGI -- 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 prohibiting ear clipping and tail docking of dogs and cats unless deemed medically necessary to protect the life or health of the dog or cat

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

Section 1. The section heading and subdivision 1 of section 365 of the agriculture and markets law, as amended by chapter 458 of the laws of 1985, are amended to read as follows:

Clipping or cutting the ears of dogs and cats. 1. Whoever clips or cuts off or causes or procures another to clip or cut off the whole or any part of an ear of any dog or cat unless an anesthetic shall have been given to the dog or cat and the operation performed by a licensed veterinarian who deems such operation medically necessary to protect the life or health of the dog or cat, is guilty of a misdemeanor, punishable by imprisonment for not more than one year, or a fine of not more than one thousand dollars, or by both.

§ 2. The agriculture and markets law is amended by adding a new section 365-a to read as follows:

§ 365-a. Docking dog and cat tails; unlawful. 1. Any person who cuts the bone, tissue, muscles or tendons of the tail of any dog or cat, or otherwise operates upon it in any manner for the purpose or with the effect of docking or otherwise altering the natural carriage or length of the tail, or assists, procures, promotes or encourages such cutting or operation for reasons other than to protect the life or health of the dog or cat as deemed necessary by a duly licensed veterinarian, is guilty of a misdemeanor punishable by a fine of not more than five hundred dollars.

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

LBD02883-02-1

2. The provisions of this section shall not apply to any dog or cat, or person who is the owner or possessor of any dog or cat whose tail has been certified as having been docked, cut or altered prior to August first, two thousand twenty-one.

§ 3. This act shall take effect immediately.