STATE OF NEW YORK

1070

2023-2024 Regular Sessions

IN SENATE

January 10, 2023

Introduced by Sens. BORRELLO, HELMING, MATTERA, OBERACKER -- 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:

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

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

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

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

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

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

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

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

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for reimbursement, had any health costs for which reimbursement pursuant to this section was provided, the date of any such prior reimbursement and any other information that the commissioner may require for accurate record-keeping and accountability.

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

6. Nothing contained in this section shall be construed to prohibit an applicant from expending its own funds for health costs related to regular health or injury associated with canine officers in amounts exceeding the established state reimbursement limitations.

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

§ 2. Section 837 of the executive law is amended by adding a new subdivision 24 to read as follows:

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

(i) the name of the canine officer;

(ii) the department or agency the canine officer is employed by;

(iii) the age of the canine;

(iv) the canine's years of service;

(v) the canine's primary job purpose;

(vi) the canine's secondary purpose, if applicable;

(vii) any injuries or regular health maintenance;

(viii) the county in which the canine is employed and any secondary counties that the canine is located;

(ix) canine breed;

(x) whether the canine is currently retired; and

(xi) any other relevant data as determined appropriate by the division.

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

(i) narcotic detection;

(ii) explosives detection;

(iii) officer protection;

(iv) tracking/searches;

(v) cadaver;

(vi) therapy; or

(vii) other.

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

§ 3. This act shall take effect immediately.