

# STATE OF NEW YORK

4993

2023-2024 Regular Sessions

## IN SENATE

February 21, 2023

Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

AN ACT to amend the parks, recreation and historic preservation law, in relation to allowing the presence of dogs in state parks

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

1 Section 1. The parks, recreation and historic preservation law is  
2 amended by adding a new section 3.27 to read as follows:

3 § 3.27 Dogs allowed in parks. 1. The commissioner shall adopt any  
4 rules, regulations and programs necessary for the presence and behavior  
5 of dogs in state parks, provided that such rules and programs do not  
6 conflict with the provisions of this section.

7 2. For the purposes of this section, the following terms shall have  
8 the following meanings:

9 (a) "State park" shall mean any public park, recreation area, or  
10 natural area that is owned and operated by the state of New York with  
11 the exception of the Adirondack park and the Catskill park.

12 (b) "Dog" shall mean any domestic animal of the species Canis fami-  
13 liaris.

14 3. (a) Dogs shall be allowed in all New York state parks with the  
15 exception of the Adirondack park and the Catskill park during public  
16 hours of operation year-round, including, but not limited to, trails and  
17 beaches except as provided in subdivision four of this section.

18 (b) All state parks shall install and offer dog care stations, includ-  
19 ing, but not limited to, garbage cans and disposable biodegradable waste  
20 bags to ensure a clean and hygienic environment for all park visitors.

21 (c) All dogs shall be under direct supervision and control at all  
22 times by the owner or custodian of the dog.

23 (d) Dogs shall be leashed at all times unless a state park designates  
24 a specific unleashed area.

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

LBD05507-04-3

1 (e) Waste shall be removed and disposed of by the dog owner.

2 (f) Dog owners or custodians assume liability for any damage or harm  
3 caused by their dog on park premises.

4 (g) Dogs are not permitted within at least one hundred feet of any  
5 areas restricted for protection of endangered species and/or nesting.

6 4. (a) Dogs shall not be allowed in areas of state parks that are  
7 designated by parks as "restricted".

8 (b) Dogs shall not be allowed in state parks during events or activ-  
9 ities that are specifically designated as "dog-free".

10 (c) Dogs shall not be allowed in state parks if they are not under the  
11 control of their owner or custodian, or if they pose a threat to public  
12 safety.

13 (d) Dogs that have not been fully vaccinated pursuant to any law,  
14 rules or regulations requiring such vaccines shall not be allowed in  
15 state parks.

16 5. (a) The office shall have the authority to enforce the provisions  
17 of this section, including, but not limited to, the power to issue cita-  
18 tions and fines for violations.

19 (b) The office shall also have the authority to exclude such owner's  
20 dog or dogs from state parks for a period of time if the owner or custo-  
21 dian of the dog fails to comply with the provisions of this section or  
22 the rules, regulations and programs adopted by the state park system.

23 § 2. This act shall take effect on the one hundred twentieth day after  
24 it shall have become a law.