

STATE OF NEW YORK

4993--C

2023-2024 Regular Sessions

IN SENATE

February 21, 2023

Introduced by Sens. MARTINEZ, MURRAY, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Cultural Affairs, Tourism, Parks and Recreation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 state parks. 1. The commissioner shall adopt
4 any rules, regulations and programs necessary for the presence and
5 behavior of dogs conducive to the characteristics of each state park in
6 a manner consistent with the provisions of this section.

7 2. (a) Dogs shall be allowed in all New York state parks under the
8 jurisdiction of the office during public hours of operation year-round
9 except as provided in subdivision three of this section.

10 (b) All state parks where dogs are permitted shall install and offer
11 dog waste stations, including, but not limited to, disposable recepta-
12 cles and disposable biodegradable waste bags to ensure a clean and
13 hygienic environment for all park visitors.

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

16 (d) Dogs shall be leashed at all times unless in an area that has been
17 designated by a state park as an unleashed area.

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

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

3 (f) Dog owners and custodians shall be liable for any damage or harm
4 caused by their dog on park premises and subject to penalties for any
5 violation of this section.

6 3. In addition to other relevant matters, the rules, regulations, and
7 programs set forth by the commissioner required by subdivision one of
8 this section may:

9 (a) limit the presence of dogs in the manner and to the extent that
10 the commissioner deems appropriate, including but not limited to
11 restricting the presence of dogs:

12 (i) at certain times of day or certain times of year;

13 (ii) for the protection of wildlife, other aspects of the environment,
14 the quality of the park, and the experience of other park users; and

15 (iii) in arboretums or park preserves;

16 (b) include specific prohibitions providing that dogs shall not be
17 allowed in state parks:

18 (i) during events or activities that are specifically designated as
19 "dog-free";

20 (ii) if they are deemed a "dangerous dog" pursuant to section one
21 hundred eight of the agriculture and markets law;

22 (iii) without being fully vaccinated pursuant to all laws, rules and
23 regulations requiring such vaccines;

24 (iv) within one hundred feet of any areas restricted for protection of
25 rare, threatened, or endangered species and/or nesting;

26 (v) in buildings;

27 (vi) in lifeguarded areas designated for swimming;

28 (vii) in lifeguarded areas designated for sunbathing;

29 (viii) on golf courses;

30 (ix) on playgrounds and spraygrounds; and

31 (x) at such other times, places, and in such manner as the commission-
32 er may deem appropriate; and

33 (c) set penalties for violations of this section.

34 4. (a) The office shall have the authority to enforce the provisions
35 of this section, including, but not limited to, the power to issue cita-
36 tions and fines for violations.

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

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