

STATE OF NEW YORK

1494

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

Introduced by M. of A. BUTTENSCHON -- read once and referred to the Committee on Governmental Operations

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:

1 Section 1. The executive law is amended by adding a new section
2 837-d-1 to read as follows:

3 § 837-d-1. Canine officer health monitoring fund. 1. As used in this
4 section, the following terms have the following meanings:

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

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

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

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

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

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

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1 to this section was provided, the date of any such prior reimbursement
2 and any other information that the commissioner may require for accurate
3 record-keeping and accountability.

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

10 6. Nothing contained in this section shall be construed to prohibit an
11 applicant from expending its own funds for health costs related to regu-
12 lar health or injury associated with canine officers in amounts exceed-
13 ing the established state reimbursement limitations.

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

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

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

23 (i) the name of the canine officer;
24 (ii) the department or agency the canine officer is employed by;
25 (iii) the age of the canine;
26 (iv) the canine's years of service;
27 (v) the canine's primary job purpose;
28 (vi) the canine's secondary purpose, if applicable;
29 (vii) any injuries or regular health maintenance;
30 (viii) the county in which the canine is employed and any secondary
31 counties that the canine is located;
32 (ix) canine breed;
33 (x) whether the canine is currently retired; and
34 (xi) any other relevant data as determined appropriate by the divi-
35 sion.

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

38 (i) narcotic detection;
39 (ii) explosives detection;
40 (iii) officer protection;
41 (iv) tracking/searches;
42 (v) cadaver;
43 (vi) therapy; or
44 (vii) other.

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

48 § 3. This act shall take effect immediately.