STATE OF NEW YORK

4993--A

2023-2024 Regular Sessions

IN SENATE

February 21, 2023

Introduced by Sens. MARTINEZ, 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

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:

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

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

2. (a) Dogs shall be allowed in all New York state parks with the exception of the Adirondack park, the Catskill park and arboretums during public hours of operation year-round except as provided in subdivision three of this section.

(b) The commissioner shall promulgate rules and regulations restricting the presence of dogs in areas designated for swimming or sunbathing on beaches and resident wildlife in preserves.

(c) All state parks shall install and offer dog waste stations, including, but not limited to, garbage cans and disposable biodegradable waste bags to ensure a clean and hygienic environment for all park visitors.

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

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

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

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

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

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

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

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

(c) Dogs shall not be allowed in state parks if they are deemed a "dangerous dog" pursuant to section one hundred eight of the agriculture and markets law.

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

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

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

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