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:

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

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

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

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

(d) Dogs shall be leashed at all times unless in an area that has been 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.

LBD05507-09-4

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

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

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

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

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

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

(iii) in arboretums or park preserves;

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

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

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

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

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

(v) in buildings;

(vi) in lifeguarded areas designated for swimming;

(vii) in lifeguarded areas designated for sunbathing;

(viii) on golf courses;

(ix) on playgrounds and spraygrounds; and

(x) at such other times, places, and in such manner as the commissioner may deem appropriate; and

(c) set penalties for violations of this section.

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.