STATE OF NEW YORK

8084

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to establishing an animal abuser registry

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

Section 1. Section 403 of the agriculture and markets law is amended by adding a new subdivision 12 to read as follows:

12. The applicable license issuer pursuant to the provisions of this section shall run a background check as part of every application and renewal against the animal abuser registry established pursuant to section three hundred fifty-three-g of this chapter and shall not issue or renew a license to an applicant or licensee who is on such registry.

§ 2. Subdivision 3 of section 403 of the agriculture and markets law, as amended by chapter 683 of the laws of 2022, is amended to read as follows:

3. Each application for a license shall be accompanied by a nonrefundable fee of one hundred fifty dollars**, except that those pet dealers who engage in the sale of less than twenty-five animals in a year**.

§ 3. Subdivision 5 of section 421 of the agriculture and markets law, as added by chapter 683 of the laws of 2022, is amended and a new subdivision 8 is added to read as follows:

5. Such license shall be renewable annually, upon the payment of a nonrefundable fee of one hundred fifty dollars**, except that those animal shelters who adopt out less than twenty-five animals in a year**.

8. The commissioner shall run a background check as part of every application and renewal against the animal abuser registry established pursuant to section three hundred fifty-three-g of this chapter and shall not issue or renew a license to an applicant or licensee who is on such registry.

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

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§ 4. The agriculture and markets law is amended by adding a new section 353-g to read as follows:

§ 353-g. Animal abuser registry. 1. For purposes of this section, the term "animal abuser" means a person sixteen years of age or older who has been convicted of a felony or misdemeanor violation of any provision of this article or of the comparable statutes of another state.

2. The New York state division of criminal justice services shall maintain a registry of animal abusers required to register pursuant to the provisions of this section. The central registry of animal abusers shall be made available to the public through internet access, telephone access, written access and in-person access. All of the information contained in an animal abuser's registration shall be made available. Records of each animal abuser's registration shall be maintained for the duration of the period in which the animal abuser is required to be registered.

3. (a) A person convicted of a felony or misdemeanor violation of any provision of this article shall register with the department of criminal justice services within ten days of their release from incarceration or on the date of conviction, whichever is later.

(b) Any animal abuser who enters the state and physically remains within the boundaries of this state for more than ten consecutive days shall register with the department of criminal justice services before the end of the eleventh day in the state.

4. Any previously registered animal abuser shall reregister no later than ten days after moving to a new location within the state.

5. When an animal abuser registers, the animal abuser shall provide the following registration information:

(a) the legal name and any other names or aliases that the animal abuser is using or has used;

(b) the date of birth of the animal abuser;

(c) the current address or location of the animal abuser;

(d) the animal protection offense for which the animal abuser was convicted, including the date and place of such conviction; and

(e) a current photograph of the animal abuser.

6. Following an animal abuser's initial registration pursuant to the provisions of this section, an animal abuser shall annually renew the animal abuser's registration with the department of criminal justice services prior to December thirty-first of each subsequent calendar year for a period of seven years from the animal abuser's date of conviction or release from incarceration for the underlying violation of this article, whichever is later. An animal abuser who is convicted of a subsequent felony or misdemeanor violation of any provision of this article or of the comparable statutes of another state shall be required to annually renew such animal abuser's registration with the department of criminal justice services prior to December thirty-first of each subsequent calendar year for the rest of their life.

7. An animal abuser who intentionally or knowingly fails to comply with the registration requirements, or provides false information when complying with the registration requirements set forth in this section, is guilty of a class E felony.

8. Each county sheriff shall provide links to register with or view the department of criminal justice services' registry of animal abusers on their public website.

9. Within ten days of receiving initial or updated registration information from an animal abuser, the department of criminal justice services shall forward such information to the applicable county sheriff

who shall contact every humane society, animal shelter, local society for the prevention of cruelty to animals organization, and any other business within a half mile radius of the animal abuser's residence or location and provide them with the animal abuser's registration information.

10. No person shall sell, exchange, or otherwise transfer ownership of any animal to any person listed on the animal abuser registry established pursuant to subdivision two of this section.

§ 5. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that the amendments to subdivision 3 of section 403 of the agriculture and markets law made by section two of this act and the amendments to section 421 of the agriculture and markets law made by section three of this act shall take effect on the same date and in the same manner as chapter 683 of the laws of 2022, takes effect. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.