STATE OF NEW YORK

8555

2025-2026 Regular Sessions

IN ASSEMBLY

May 20, 2025

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to standards of care for animals held in, or being transported by, animal shelters; and to repeal certain provisions of such law relating thereto

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

Section 1. Paragraph (b) of subdivision 2 of section 377-a of the agriculture and markets law, as added by chapter 387 of the laws of 2001, is amended to read as follows:

(b) the person intending to adopt the dog or cat shall have executed a written agreement with the animal shelter, pound, dog control officer, humane society, dog or cat protective association, or duly incorporated society for the prevention of cruelty to animals, to have the dog or cat spayed or neutered within thirty days from the adoption date, or in the case of a dog or cat which has not yet reached sexual maturity, within thirty days of the dog or cat reaching six months of age. The person intending to adopt the dog or cat shall deposit with the animal shelter, pound, dog control officer, humane society, dog or cat protective association, or duly incorporated society for the prevention of cruelty to animals, an amount of not less than [~~thirty-five~~] **one hundred** dollars. Not more than every two years, the commissioner, after holding a public hearing, may raise the amount to be deposited to reflect rising costs; or

§ 2. Subdivision 6 of section 420 of the agriculture and markets law, as added by chapter 683 of the laws of 2022, is amended to read as follows:

6. "Animal shelter" shall mean a public or not-for-profit entity owning, operating, or otherwise maintaining a building, structure, or facility where temporary or permanent housing and care is provided to

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

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stray, abandoned, abused, seized, impounded, owner-surrendered or otherwise unwanted animals regardless of whether or not such facility also serves as a personal residence. This includes but is not limited to: facilities owned, operated, or maintained by a duly incorporated society for the prevention of cruelty to animals, duly incorporated humane society dog or cat protective association, or pound; any person in the employ of, or organization operated by or under contract to a municipality to provide care for seized or impounded animals; or any other not-for-profit organization involved in the protection, care, or rehoming of animals. Unless otherwise provided in this article, the term "animal shelter" shall not include the personal residence of any foster care provider as defined in this section; a facility commonly known as a boarding kennel, where the ownership of the animal is not transferred; any entity licensed as a pet dealer pursuant to article twenty-six-A of this chapter; any duly incorporated animal hospital owned, operated or supervised by a duly licensed veterinarian; [~~or~~] any facility where the owner or operator is licensed by the New York state department of environmental conservation as a nuisance wildlife control agent or wildlife rehabilitator**; or any municipality as defined in section one hundred eight of this chapter, that establishes and maintains a pound or shelter pursuant to subdivision one of section one hundred fourteen of this chapter that impounds less than five dogs annually and harbors not more than any two dogs at the same time**.

§ 3. Section 422 of the agriculture and markets law is amended by adding a new subdivision 5 to read as follows:

5. The provisions of this section shall not be applicable to any veterinarian or veterinary technician authorized to practice in this state pursuant to article one hundred thirty-five of the education law.

§ 4. Subdivision 17 of section 425 of the agriculture and markets law is REPEALED.

§ 5. Subdivision 3 of section 427 of the agriculture and markets law, as added by chapter 683 of the laws of 2022, is amended to read as follows:

3. The total number of animals housed in an animal shelter facility [~~or foster home~~] shall not exceed the number of housing units available at the facility as required by section four hundred twenty-five of this article; provided, however, that exceptions to the provisions of this subdivision shall be permissible for periods not to exceed forty-five contiguous days in the event of an animal seizure pursuant to article twenty-six of this chapter or a natural disaster where an official declaration of the disaster or emergency has been made.

§ 6. Subdivision 8 of section 429 of the agriculture and markets law, as added by chapter 683 of the laws of 2022, is amended to read as follows:

8. Each animal shelter shall vaccinate each animal in its custody or possession with core vaccines as recommended by national standards and guidelines specific to animal shelters as established, endorsed or approved by the [~~American Association of Feline Practitioners (AAFP),~~] American Animal Hospital Association (AAHA)[~~,~~] or the Association of Shelter Veterinarians (ASV).

§ 7. Paragraphs (e) and (f) of subdivision 3 of section 431 of the agriculture and markets law, as added by chapter 683 of the laws of 2022, are amended to read as follows:

(e) Each dog shall be provided with the opportunity to exercise and eliminate at least once every twelve hours while confined to the transport vehicle, including load time. [~~Each dog being transported that is~~

~~less than twelve weeks of age shall be removed from their enclosure and allowed to exercise and eliminate at least every two hours.~~]

(f) No dog or cat shall be left unattended in any transport vehicle for more than one hour, [~~regardless of whether heating, ventilation~~] and [~~air conditioning (HVAC)~~] **only if remote temperature monitoring** is provided in [~~such vehicle~~] **the animal compartment**.

§ 8. Subdivision 3 of section 433 of the agriculture and markets law, as added by chapter 683 of the laws of 2022, is amended to read as follows:

3. Any animal shelter that violates any provisions of this article shall correct such violations to the satisfaction of the commissioner within a period not to exceed [~~ten~~] **thirty** days; provided, however, that where such violation poses a severe or immediate threat to public health or animal safety or well-being, such violation shall be corrected to the satisfaction of the commissioner within a period not to exceed [~~seventy-two hours~~] **seven days**.

§ 9. This act shall take effect on the same date and in the same manner as chapter 683 of the laws of 2022, takes effect.