

STATE OF NEW YORK

8653

2025-2026 Regular Sessions

IN ASSEMBLY

May 22, 2025

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

AN ACT to amend the general business law and the agriculture and markets
law, in relation to pet dealers; and to repeal certain provisions of
the general business law relating thereto

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

1 Section 1. Subdivision 3 of section 752 of the general business law is
2 REPEALED and a new subdivision 3 is added to read as follows:

3 3. "Pet dealer" means any person who breeds animals and sells or
4 offers to sell more than nine animals that are born and raised on such a
5 person's residential premises directly to a consumer, provided that it
6 shall not include the following:

7 (a) Any municipal pound or shelter dedicated to the care of unwanted
8 animals which make such animals available for adoption whether or not a
9 fee for such adoption is charged, established and maintained pursuant to
10 subdivision one of section one hundred fourteen of the agriculture and
11 markets law, and that is duly licensed as an animal shelter pursuant to
12 article twenty-six-C of the agriculture and markets law.

13 (b) Any duly incorporated society for the prevention of cruelty to
14 animals, duly incorporated humane society, duly incorporated animal
15 protective association or other duly incorporated animal adoption or
16 animal rescue organization dedicated to the care of unwanted animals
17 which makes such animals available for adoption whether or not a fee for
18 such adoption is charged that is exempt from taxes pursuant to paragraph
19 (3) of subsection (c) of section 501 of the federal Internal Revenue
20 Code, 26 U.S.C. 501, or any subsequent corresponding sections of the the
21 federal Internal Revenue Code, as from time to time amended, that is
22 duly licensed as an animal shelter pursuant to article twenty-six-C of
23 the agriculture and markets law;

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

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1 (c) Any public authority providing shelter services for the care of
2 unwanted animals; and

3 (d) Any retail pet shop as defined in subdivision eight of this
4 section.

5 § 2. Subdivision 8 of section 752 of the general business law, as
6 added by chapter 681 of the laws of 2022, is amended to read as follows:

7 8. "Retail pet shop" means any for-profit place of business that sells
8 or offers for sale animals to be kept as household pets, ~~[pet food or~~
9 ~~supplies,]~~ but shall not include breeders who sell or offer to sell
10 directly to the consumer animals that are born and raised on the
11 breeder's residential premises.

12 § 3. Section 752 of the general business law is amended by adding a
13 new subdivision 9 to read as follows:

14 9. "Broker" means any person or business that sells or arranges, nego-
15 tiates or processes the sale of dogs, cats or rabbits bred by another or
16 that facilitates the transfer of dogs, cats or rabbits bred by another.

17 § 4. Subdivision 1 of section 753-f of the general business law, as
18 amended by chapter 35 of the laws of 2023, is amended to read as
19 follows:

20 1. A retail pet shop or broker as defined in this article shall not
21 sell, lease, offer to lease, offer to sell, barter, auction, or other-
22 wise transfer ownership of any dog, cat or rabbit. This section shall
23 not be construed to prohibit a retail pet shop from collaborating with
24 the following entities to provide space to showcase dogs, cats or
25 rabbits owned by such entities for the purpose of adoption; any duly
26 incorporated society for the prevention of cruelty to animals, duly
27 incorporated humane society, duly incorporated animal protective associ-
28 ation or other duly incorporated animal adoption or animal rescue organ-
29 ization that:

30 (a) is exempt from taxes pursuant to paragraph (3) of subsection (c)
31 of section 501 of the federal Internal Revenue Code, 26 U.S.C. 501, or
32 any subsequent corresponding sections of the federal Internal Revenue
33 Code, as from time to time amended;

34 (b) is registered with the department pursuant to ~~[section four~~
35 ~~hundred eight]~~ article twenty-six-C of the agriculture and markets law;

36 (c) is not affiliated with, or housed on the premises of a breeder or
37 broker that does not obtain dogs, cats or rabbits from a breeder or
38 broker in exchange for payment or compensation; and

39 (d) does not resell dogs, cats or rabbits obtained from a breeder or
40 broker or provide payment or compensation to such breeder or broker.

41 § 5. Subdivision 4 of section 400 of the agriculture and markets law,
42 as amended by chapter 553 of the laws of 2022, paragraphs (b) and (c) as
43 separately amended by chapters 681 and 683 of the laws of 2022, para-
44 graph (d) as amended and paragraph (e) as relettered by chapter 496 of
45 the laws of 2024, and paragraph (e) as added by chapter 681 of the laws
46 of 2022, is amended to read as follows:

47 4. "Pet Dealer" means any person who ~~[engages in the sale or offering~~
48 ~~for sale of more than nine animals per year for profit to the public.~~
49 ~~Such definition shall include breeders who sell or offer]~~ breeds animals
50 and sells or offers to sell more than nine animals that are born and
51 raised on such a person's residential premises directly to a consumer;
52 provided that it shall not include the following:

53 (a) ~~[Any breeder who sells or offers to sell directly to the consumer~~
54 ~~fewer than twenty-five animals per year that are born and raised on the~~
55 ~~breeder's residential premises;~~

1 ~~(b)~~ Any municipal pound or shelter dedicated to the care of unwanted
2 animals which makes such animals available for adoption whether or not a
3 fee for such adoption is charged, established and maintained pursuant to
4 subdivision one of section one hundred fourteen of this chapter, and
5 that is duly licensed as an animal shelter pursuant to article twenty-
6 six-C of this chapter;

7 ~~(e)~~ ~~(b)~~ Any duly incorporated society for the prevention of cruelty
8 to animals, duly incorporated humane society, duly incorporated animal
9 protective association or other duly incorporated animal adoption or
10 animal rescue organization dedicated to the care of unwanted animals
11 which makes such animals available for adoption whether or not a fee for
12 such adoption is charged that is exempt from taxes pursuant to paragraph
13 (3) of subsection (c) of section 501 of the federal Internal Revenue
14 Code, 26 U.S.C. 501, or any subsequent corresponding sections of the
15 federal Internal Revenue Code, as from time to time amended, that is
16 duly licensed as an animal shelter pursuant to article twenty-six-C of
17 this chapter; and

18 ~~(d)~~ ~~(c)~~ Any public authority providing shelter services for the care
19 of unwanted animals.

20 ~~(e)~~ ~~(d)~~ Any retail pet shop as defined in subdivision eight of
21 section seven hundred fifty-two of the general business law.

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