STATE OF NEW YORK

8211--A

2025-2026 Regular Sessions

IN SENATE

May 21, 2025

Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- recommitted to the Committee on Agriculture 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 agriculture and markets law and the education law, in relation to standards of care for animals held in, or being transported by, animal shelters; and to repeal certain provisions of the agriculture and markets 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:

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

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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 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). **Such vaccinations shall be administered in accordance with subdivision sixteen of section sixty-seven hundred five of the education law.**

§ 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. Paragraph (a) of subdivision 1 of section 109 of the agriculture and markets law, as amended by chapter 420 of the laws of 2025, is amended to read as follows:

(a) The owner of any dog reaching the age of four months shall immediately make application for a dog license. No license shall be required for any dog which is under the age of four months and which is not at large, or that is residing in [~~a pound or shelter maintained by or under contract or agreement with the state or any county, city, town or village, duly incorporated society for the prevention of cruelty to animals, duly incorporated humane society or duly incorporated dog protective association~~] **any animal shelter, as defined by subdivision six of section four hundred twenty of this chapter, any foster care provider, as defined by subdivision twenty-one of section four hundred twenty of this chapter, or any municipality that establishes and maintains a pound or shelter pursuant to subdivision one of section one hundred fourteen of this article that impounds less than five dogs annually and harbors not more than any two dogs at the same time**. Except as otherwise provided in this subdivision, a license shall be issued or renewed for a period of at least one year, provided, that no license shall be issued for a period expiring after the last day of the eleventh month following the expiration date of the current rabies certificate for the dog being licensed. All licenses shall expire on the last day of the last month of the period for which they are issued. In the event an applicant for a license presents, in lieu of a rabies certificate, a statement certified by a licensed veterinarian, as provided in subdivision two of this section, a license shall be issued or renewed for a period of one year from the date of said statement. Any municipality may establish a common renewal date for all such licenses. A license issued by a municipality that has established a common renewal date shall expire no later than the common renewal date prior to the expiration date of the rabies certificate for the dog being licensed.

§ 10. Section 6705 of the education law is amended by adding a new subdivision 16 to read as follows:

16. Any person acting under the general supervision of a veterinarian duly licensed to practice in this state who is providing care to animals in the custody or possession of an animal shelter, as defined by subdivision six of section four hundred twenty of the agriculture and markets law, including animals subject to the redemption periods of section one hundred seventeen of the agriculture and markets law, provided that: (a) such individual has been trained in the shelter's protocols in accordance with article twenty-six-C of the agriculture and markets law; and (b) such supervising veterinarian has determined that the individual has received sufficient and proper training to provide such care.

§ 11. This act shall take effect immediately.