STATE OF NEW YORK

8252--A

2025-2026 Regular Sessions

IN SENATE

May 27, 2025

Introduced by Sen. GIANARIS -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 Assembly, do enact as follows:

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 Subdivision 3 of section 752 of the general business law is REPEALED and a new subdivision 3 is added to read as follows:

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

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

(b) Any duly incorporated society for the prevention of cruelty to animals, duly incorporated humane society, duly incorporated animal protective association or other duly incorporated animal adoption or animal rescue organization dedicated to the care of unwanted animals which makes such animals available for adoption whether or not a fee for such adoption is charged that is exempt from taxes pursuant to paragraph (3) of subsection (c) of section 501 of the federal Internal Revenue Code, 26 U.S.C. 501, or any subsequent corresponding sections of the the federal Internal Revenue Code, as from time to time amended, that is

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

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duly licensed as an animal shelter pursuant to article twenty-six-C of the agriculture and markets law;

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

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

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

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

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

9. "Broker" means any person or business that sells or arranges, negotiates or processes the sale of dogs, cats or rabbits bred by another or that facilitates the transfer of dogs, cats or rabbits bred by another.

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

1. A retail pet shop **or broker** as defined in this article shall not sell, lease, offer to lease, offer to sell, barter, auction, or otherwise transfer ownership of any dog, cat or rabbit. This section shall not be construed to prohibit a retail pet shop from collaborating with the following entities to provide space to showcase dogs, cats or rabbits owned by such entities for the purpose of adoption; any duly incorporated society for the prevention of cruelty to animals, duly incorporated humane society, duly incorporated animal protective association or other duly incorporated animal adoption or animal rescue organization that:

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

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

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

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

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

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

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

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

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

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

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

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