



NEW YORK STATE SENATOR  
Phil Boyle

## Senator Boyle's Bill to Close Pet Dealer Loophole Signed Into Law

PHIL BOYLE August 15, 2017

| ISSUE: **ANIMAL ADVOCACY, ANIMAL WELFARE**



New York State Senator Phil Boyle (R-C-I, Suffolk County) today announced that his bill ([S5599](#)) to require all not-for-profit and incorporated animal shelters and rescues to register with the New York State Department of Agriculture and Markets (NYSDAM) has been signed into law by the Governor. This new measure amends the Pet Dealer License exemption, which has sometimes been exploited by former pet dealers and animal resellers who realized they could successfully avoid state oversight by obtaining a not-for-profit status.

Senator Boyle said, “There are so many wonderful organizations that do incredible and valuable work to help animals, but unfortunately some not-so-great people have used this exemption as an excuse not to be regulated. The number of licensed pet dealers in New York

has declined nearly 40 percent over the past five years showing just how troublesome this loophole really is. This new law will require and ensure compliance with existing laws and regulations, while also providing a measure of transparency to foster public trust that animals are getting the care they deserve. I applaud Governor Cuomo for signing this measure into law, and I'd like to thank the American Society for the Prevention of Cruelty to Animals (ASPCA), the New York State Animal Protection Federation, and the New York State Veterinary Medical Society for their support on this important issue."

This new law will require organizations exempted from the Pet Dealer License to pay a \$100 registration fee and abide by state documentation and vaccination requirements for dogs and cats imported into New York. The registration would include important disclosures, including contact information and address, description of premise, number of animals transported annually, not-for-profit and federal 501(c)(3) status, and other information on their operations to help ensure that all animals are cared for and transported safely and properly. NYSDAM will also be given additional authority to review and craft necessary regulations to govern these organizations.

Assemblyman Kenneth Zebrowski, the Assembly sponsor of the bill, said "Although many times well intentioned, leaving these groups unregulated leaves a vulnerability that puts both animal health and public safety at risk. Requiring that these animal groups register will help us to weed out the 'bad actors' that knowingly skirt the law. We currently have little to no information about the animals that are being brought into the state and this will help us get a handle on the situation. I'd like to thank Governor Cuomo for signing this important piece of legislation into law. This will now bring New York in line with the many other states across the country that have already put into place basic registration requirements."

Bill Ketzner, Senior Director of ASPCA Government Relations for the Northeast region, said, "Animal shelters across New York State and their rescue partners have done an incredible job reducing animal homelessness to a fraction of what our communities faced 20 years ago. This long overdue legislation will support those shelters by closing the existing loophole permitting unscrupulous pet dealers and animal sellers from evading state oversight by obtaining non-profit status. The ASPCA commends Senator Boyle and Assemblymember Zebrowski for their efforts to improve animal protection laws in the state, and we thank Governor Cuomo for signing this legislation."

Libby Post, Executive Director of the New York State Animal Protection Federation said, “The shelter/rescue registration bill is a crucial step forward in protecting companion animals and the people who love them. Requiring all nonprofit shelters and rescue organizations to register and disclose whether they were ever a pet dealer will help us reign in the bad actors who masquerade as nonprofit entities but still operate with their bottom line and not an animal’s health and well-being as their top priority. The unfettered flow of companion animals into New York has created a host of animal health, public safety and consumer protection challenges. This law will help stem this tide and strengthen the animal sheltering and rescue organizations that pay attention to the rules and do the right thing.”

As municipal animal shelters are government entities already inspected by the NYSDAM, they would not have to register. Facilities that don't comply would be charged with a civil penalty of between \$100 and \$1,000.

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#### RELATED LEGISLATION

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### **2017-S5599**

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- Introduced
  
- - In Committee Assembly
  - In Committee Senate
  
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
  
- - Passed Assembly
  - Passed Senate

- Delivered to Governor
- Signed By Governor
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Exempts certain entities from the definition of pet dealer

April 19, 2017

Signed by Governor

Sponsored by **Phil Boyle**

Do you support this bill?