



NEW YORK STATE SENATOR

John J. Flanagan

## Senator Flanagan's Pet Owner Protection Signed Into Law

JOHN J. FLANAGAN August 9, 2013

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Senator John Flanagan (2<sup>nd</sup> Senate District) announced that legislation he sponsored to provide consumers with more protections when they purchase a pet has been signed into law. The new law will expand New York State's "Pet Lemon Law" by providing consumers with more information about the origins of their pet and greater protections should their pet become ill.

Under prior law, if a newly purchased pet is diagnosed with a congenital malformation, is ill, or has a contagious infection or disease, consumers are covered for only fourteen business days. However, many times these congenital defects or illnesses are not readily apparent in very young animals.

The new law, which will go into effect in January, will extend the current protection regarding an animal that is diagnosed with a congenital defect for 180 days from the date of purchase. If a licensed veterinarian deems the new pet to be unfit for purchase due to a congenital malformation, consumers will be able to receive a refund of the full purchase price, including any taxes, or be given the option to select another animal of equivalent value. The consumer shall also be provided with payment to cover any reasonable veterinary costs. It will also require dealers who sell dogs to disclose the source of those animals, which has been required for cat purchases. And it would mandate that the pet broker's name and address be provided to the consumer in addition to the breeder's name and address as is already required by state law.

Additionally, the legislation would increase the minimum fines for violations from \$50 to \$100.

While this measure is intended to protect consumers from loss, the legislation also provides pet shop owners with a financial incentive that is designed to encourage them to deal with reputable breeders who provide adequate care to the animals under their control. By fining

those who sell sick animals, the legislation will send a clear message to pet shops throughout the state that New York State is determined to make sure they operate in a humane and proper way, and that those who deal sick or maltreated animals will be punished.

"New York consumers deserve to be confident that the pet they bring into their family has been treated properly and will be a part of their lives for a long time. This law will provide these families with increased protections and the ability to recover any costs that may be involved if their new pet is sick. As a pet lover myself, I know that money will never protect people from the sadness they feel when an animal becomes ill but this change will provide them with some peace of mind," stated Senator Flanagan.

Currently, twenty states have "pet lemon laws", and fourteen of these states protect consumers for more than fourteen days after the purchase of a pet.