



NEW YORK STATE SENATOR

John J. Flanagan

## Senator Flanagan Announces Pet Dealer Oversight Law Now In Effect

JOHN J. FLANAGAN January 27, 2014

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Senator John Flanagan (2<sup>nd</sup> Senate District) recently announced the enactment of legislation he supported that will help provide better regulation of animal breeders and pet stores. The new law ([Chapter 553 of 2013](#) signed by Governor Andrew Cuomo) authorizes local governments to enact more stringent laws than those that currently exist at the state level.

Any new local laws, rules, regulations or ordinances must be at least as stringent as state law and must not result in banning the sale of dogs and cats that are raised in a safe and healthy manner.

Previously, local governments were prohibited from enacting laws to govern pet dealers. The new law would bring consistency with many other animal related laws including the regulation of dangerous dogs, seizure of animals and the operation of spay/neuter facilities by allowing municipalities to act in the best interest of their own communities.

With limited state resources, it was difficult for the state to track and punish unlicensed dog breeders who intentionally avoid regulation by quickly selling dogs online and through private sales. In some cases, even the conditions of licensed facilities are called into question, with some dogs spending their entire lives kept inside small enclosures that have wire-floored cages and are stacked upon each other.

Under this new law, if a municipality chooses to adopt a more stringent local law, enforcement of the new law will be the sole responsibility of the municipality. The New York State Department of Agriculture and Markets will continue to enforce existing state laws pertaining to animal care by pet dealers.

The new law is supported by a variety of animal rights organizations, including the ASPCA, New York State Citizens Against Puppy Mills and the New York State Animal Protective Federation.

“Providing local governments with the ability to enact laws to better regulate pet dealers will enhance accountability and oversight which will help protect animals and consumers as well. Local leaders and law enforcement are the first line of defense in their communities, with better insight into the activities in their areas. That local knowledge could prove useful in identifying irresponsible pet dealers and allow for quicker action to protect those animals involved,” stated Senator Flanagan.

Senator Flanagan has been a leader in the fight to protect animals in New York State. Last year, he authored a new law to enhance the “[Pet Lemon Law](#)” to provide consumers with greater protections when purchasing a pet. This new law will protect consumers for up to six months if an animal is diagnosed with a congenital defect or illness by requiring pet shops to provide consumers with a refund of the full purchase price, including any taxes, or the option to select another animal of equivalent value. Under the enhanced law, the consumer would also be provided with payment of any reasonable veterinary costs that were expended.