



# 2020 ANNUAL REPORT

## NEW YORK STATE SENATE STANDING COMMITTEE ON DOMESTIC ANIMAL WELFARE



**Senator Monica R. Martinez**  
**Chair**



**NEW YORK  
STATE  
SENATE**



**SENATOR MONICA R. MARTINEZ**  
THIRD SENATORIAL DISTRICT  
ASSISTANT MAJORITY LEADER ON  
INTERGOVERNMENTAL AFFAIRS

**Albany Office**  
Legislative Office Bldg.  
Room 814  
Albany, NY 12247  
Phone: (518) 455-2950  
Fax: (518) 426-6781

**District Office**  
90-B West Main Street  
Patchogue, New York 11772  
Phone: (631) 360-3356  
Fax: (631) 289-1035

**Satellite Office**  
Perry B. Duryea, Jr.  
State Office Building  
250 Veterans Memorial Hwy.  
Suite 3B-41  
Hauppauge, NY 11788  
Phone: (631) 360-2035  
Fax: (631) 360-3637

**Chair**  
Domestic Animal Welfare

**Committees**  
Alcoholism and Substance  
Abuse  
Budget and Revenue  
Education  
Insurance  
Labor  
Rules  
Veterans, Homeland Security  
and Military Affairs

December 10, 2020

The Honorable Andrea Stewart-Cousins  
Temporary President and Majority Leader  
New York State Senate  
Albany, NY 12247

Dear Senator Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate's Standing Committee on Domestic Animal Welfare for the 2020 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my committee's jurisdiction and ensure the protection of millions of companion animals across the State.

During the 2020 session, this committee met four times in session and reported thirteen bills.

I thank my colleagues who served on the Committee for their efforts and support of the work conducted in the committee this year, and I thank you for the continued support from the Majority Conference in the committee's operations.

Sincerely,

A handwritten signature in black ink that reads "M. R. Martinez".

Senator Monica R. Martinez

**2019 LEGISLATIVE SESSION REPORT**  
**NEW YORK STATE SENATE**  
**STANDING COMMITTEE ON DOMESTIC ANIMAL WELFARE**

**Senator Monica R. Martinez, Chairperson**  
**Senator Jim Tedisco, Ranking Minority Member**

Committee Members

Senator Martinez	Senator Tedisco
Senator Addabbo	Senator Boyle
Senator Felder	
Senator Harckham	
Senator Metzger	

Committee Staff

Deanna Schneider, Committee Clerk  
Jonathan Campozano, Majority Counsel's Office  
Lonnie Threatte, Majority Counsel's Office  
Jessica Fowler, Majority Finance Office

## **COMMITTEE JURISDICTION AND OVERVIEW**

The New York State Senate Standing Committee on Domestic Animal Welfare Committee has legislative oversight responsibilities for issues concerning the care and safety of companion animals by owners, pet dealers and other individuals.

During the 2020 Legislative Session, 50 bills were referred to the Committee for its review. Of these bills, 13 were reported from the Committee, two referred to a secondary committee, four were passed by the Senate, and none passed in both houses. This work was conducted through a series of four committee meetings. A list of all bills that were reported from the committee is provided at the end of this report.

## COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2020:

- S.3415A (Martinez) - Provides that any person charged with enforcing laws prohibiting cruelty to animals shall cause a report to be made when, in the performance of his or her duties, such person has reasonable cause to believe that abuse or maltreatment of a child has also occurred; also provides that a person charged with the responsibility of filing a report of child abuse or maltreatment shall also file a report of suspected animal cruelty.
  - This legislation will ensure that mandated reporters of child abuse have an avenue and procedure to follow to also report suspected animal abuse.
- S.4234A (Gianaris) - Prohibits the sale of dogs, cats and rabbits by retail pet shops; authorizes collaboration with entities to provide space to showcase cats or dogs owned by certain entities for the purpose of adoption.
  - This legislation will stop the puppy mill pipeline by prohibiting the sale of dogs in retail stores. Individuals will still be able to purchase from breeders directly as well as adopt from shelters or rescues.
- S5807 (Martinez) - Relates to sentencing for the crime of aggravated cruelty to animals; removes the two year imprisonment cap.
  - Current law only allows an individual to serve a maximum of two years in prison whether they are charged with one count of aggravated cruelty or ten counts. This legislation will clarify that the maximum two year sentence is per count of aggravated cruelty.

## TWO HOUSE BILLS

In 2020, none of the 50 bills referred to the Standing Committee on Domestic Animal Welfare passed both houses of the Legislature.

### SUMMARY OF COMMITTEE ACTIVITY

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Significant Action</b>
S94	Kaminsky	Relates to promoting animal fighting and appropriately punishing individuals associated with such activities.	<i>Reported from Committee</i>
S186	Tedisco	Enacts "Kirby and Quigley's Law"; expands the definition of aggravated cruelty to animals to include harm to a companion animal during the commission of a felony.	<i>Reported from Committee</i>
S2723	Krueger	Relates to aggravated cruelty to animals.	<i>Reported from Committee</i>
S3078	Addabbo	Requires the installation and testing of fire protection systems at pet stores.	<i>Reported from Committee</i>
S3415A	Martinez	Provides that any person charged with enforcing laws prohibiting cruelty to animals shall cause a report to be made when, in the performance of his or her duties, such person has reasonable cause to believe that abuse or maltreatment of a child has also occurred; also provides that a person charged with the responsibility of filing a report of child abuse or maltreatment shall also file a report of suspected animal cruelty.	<i>Passed Senate Only</i>
S3412	Martinez	Relates to the care and collection of abandoned animals on vacant property; requires notification to the appropriate authorities by anyone	<i>Passed Senate Only</i>

		authorized to be on vacant land where such person finds an animal which based on its physical appearance or lack of available food or water appears abandoned, within six hours of an encounter.	
S3559	Kennedy	Relates to penalties for the failure to provide appropriate shelter to a dog left outdoors.	<i>Reported from Committee</i>
S3959C	Brooks	Establishes Buoy's law; requires veterinarians to notify owners of potential risks and side effects of medication verbally or through electronic means prior to prescribing or otherwise providing medication to an animal; allows the client, or his or her agent, to decide whether or not to have a consultation.	<i>Reported from Committee</i>
S4234A	Gianaris	Prohibits the sale of dogs, cats and rabbits by retail pet shops; authorizes collaboration with entities to provide space to showcase cats or dogs owned by certain entities for the purpose of adoption.	<i>Passed Senate Only</i>
S4577A	Martinez	Requires the department of agriculture and markets to issue code red and blue alerts for companion animals during extreme weather; requires owners of companion animals to bring their animals indoors whenever a code red or blue alert has been issued.	<i>Reported from Committee</i>
S5807A	Martinez	Relates to sentencing for the crime of aggravated cruelty to animals; removes the two year imprisonment cap.	<i>Reported from Committee</i>
S5983C	Martinez	Prohibits any person from slaughtering a horse where such person knows or has reason to know that such horse will be used for human consumption; and prohibits any person from possessing, importing into or	<i>Reported from Committee</i>



		exporting from the state, selling, buying, giving away, holding or accepting any horse with the intent of killing, or having another kill, such horse, if such person knows or should have known that any part of such horse will be used for human consumption; and provides penalties for violation.	
S6222	Martinez	Relates to requiring the court to consider the best interest of a companion animal when awarding possession in a divorce or separation proceeding.	<i>Passed Senate Only</i>







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STANDING COMMITTEE**

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