



2018 New York State YMCA

Youth And Government

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FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Senate 5

Bill #: S-31

1 **Sponsors:** Clara Friend, Hannah Fuchs, Violet Hamlin, Viktoriya Jones

2

3 **An Act To:** Amend NYS agriculture and markets law Article 26 § 374 regarding the
4 humane destruction of "lost, strayed, homeless, abandoned or improperly confined
5 or kept" animals to remove the policy of "humanely destroying" animals after five
6 days of isolation without the consent of a licensed veterinarian.

7

8 ***The people of the State of New York, represented in the Senate and***
9 ***Assembly, do enact as follows:***

10

11 **Purpose**

12 Our bill serves to create fairer measures regarding the issue of missing, strayed,
13 homeless or abandoned animals in towns, cities and villages with the intent to focus
14 on a more humane relocation to a new home or animal shelter as opposed to
15 euthanization when a licensed veterinarian is not present.

16

17 **Summary of Provisions**

18 **Section 1**

19 Definitions:

20 Animal: defined in this article as "every living creature except a human being"

21 Humane Destruction: defined in this article as euthanasia, which is medically
22 assisted suicide by the administration of a fatal injection sodium pentobarbital or
23 sodium pentobarbital solution

24

25 **Section 2**

26 § 374. Humane destruction or other disposition of animals lost, strayed, homeless,
27 abandoned or improperly confined or kept

28 1. Any agent or officer of any duly incorporated humane society, a duly
29 incorporated society for the prevention of cruelty to animals, any dog control
30 officer, or any police officer, may lawfully cause to be humanely destroyed
31 (by means provided for in paragraph a of subdivision three of this section)
32 any animal found abandoned and not properly cared for, or any lost, strayed,
33 homeless or unwanted animal, if upon examination a licensed veterinarian
34 shall certify in writing, ~~or if two reputable citizens called upon by such agent,~~
35 ~~officer or police officer to view the same in his or her presence~~ find that the
36 animal is so maimed, diseased, disabled, or infirm so as to be unfit for any
37 useful purpose and that humane euthanasia is warranted; or after such
38 agent, officer or police officer has obtained in writing from the owner of such
39 animal his or her consent to such destruction.

40 2. In the absence of such findings or certification, a duly incorporated humane
41 society, a duly incorporated society for the prevention of cruelty to animals,
42 or any pound maintained by or under contract or agreement with any county,
43 city, town or village may after five days make available for adoption ~~or have~~
44 ~~humanely destroyed~~ in accordance with the provisions of this section and



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45 subject to subdivisions six, eight and nine of section one hundred eighteen of
46 this chapter, any animal of which possession is taken as provided for in the
47 preceding section, unless the same is earlier redeemed by its owner.
48

49 **Justification**

50 For many, the thought of having a pet go missing is devastating. In fact, according
51 to the Humane Society, sixty-three percent of pet owners consider their pets to be
52 a member of their family. According to DoSomething.org, approximately seven
53 point six million dogs and cats enter shelters per year in the United States, as a
54 result of being found abandoned. As stated in the New York Post, in New York City
55 alone, ninety four point three percent of pets in shelters found homes.
56 Euthanization is a drastic measure that does not need to be taken, especially if the
57 pets have a chance of reuniting with their families or the opportunity to be rescued
58 from a shelter. Although extremely upsetting, with the consent of a licensed
59 veterinarian, it is understandable that pets who are determined to be severely
60 maimed or injured (with chance of survival extremely low) can be justifiably
61 euthanized to put them out of their unbearable pain. However, without the consent
62 and certification of a veterinarian, the authorization of these euthanizations are
63 simply unjustified. With the amendment to this law, we hope that more abandoned
64 and/or suffering animals have a better chance for survival and finding a forever
65 home.
66

67 **Fiscal Implications**

68 This bill will have limited fiscal implications, although there are expenses resulting
69 from allowing animals to live in shelters including the purchase of food, water,
70 health supplies, collars and leashes, and employee salaries. These expenses cost
71 animal shelters approximately three-thousand dollars per month. Furthermore,
72 there are issues regarding overcrowding in animal shelters and the increase of pets
73 entering these shelters may bring up a need for expansion, resulting in further
74 expenses.
75

76 **Effective Date**

77 This bill will go into effect one year after its passage.