



**New York State YMCA**  
**Youth And Government**

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**FOR YOUTH DEVELOPMENT®**  
FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Assembly Freedom 3

Bill #:AF-21

1 **Sponsors:** Nathan Bearup and Harlie St. John

2

3 **An Act To** Amend § 353-b Section 2 Line 28 of section 3 to put a higher standard  
4 on exterior dog housing.

5

6 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

7

8 **Purpose** The purpose of this bill is to make safer homes for animals when left  
9 outside and bring their living conditions to a higher standard.

10

11 **Summary of Provisions**

12 **Section 1**

13 2. (a) Any person who owns or has custody or control of a dog that is  
14 left outdoors shall provide it with shelter appropriate to its breed,  
15 physical condition and the climate. Any person who knowingly violates  
16 the provisions of this section shall be guilty of a violation,  
17 punishable by a fine of not less than fifty dollars nor more than one  
18 hundred dollars for a first offense, and a fine of not less than one  
19 hundred dollars nor more than two hundred fifty dollars for a second and  
20 subsequent offenses.

21 Beginning seventy-two hours after a charge of  
22 violating this section, each day that a defendant fails to correct the  
23 deficiencies in the dog shelter for a dog that he or she owns or that is  
24 in his or her custody or control and that is left outdoors, so as to  
25 bring it into compliance with the provisions of this section shall  
26 constitute a separate offense.

27 (b) The court may, in its discretion, reduce the amount of any fine  
28 imposed for a violation of this section by the amount which the  
29 defendant proves he or she has spent providing a dog shelter or  
30 repairing an existing dog shelter so that it complies with the  
31 requirements of this section. Nothing in this paragraph shall prevent  
32 the seizure of a dog for a violation of this section pursuant to the  
33 authority granted in this article.

34 3. Minimum standards for determining whether shelter is appropriate to  
35 a dog's breed, physical condition and the climate shall include:

36 (a) For dogs that are restrained in any manner outdoors, shade by  
37 natural or artificial means to protect the dog from direct sunlight at  
38 all times when exposure to sunlight is likely to threaten the health of  
39 the dog.

40 (b) For all dogs that are left outdoors in inclement weather, a  
41 housing facility, which must: (1) have a waterproof roof; (2) be  
42 structurally sound with insulation appropriate to local climatic



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43 conditions and sufficient to protect the dog from inclement weather;  
44 (c)The dogs house should be within fifty feet of the owner's residence.  
45 (1) the dog house should be able to hold three of the dog's Breed and  
46 (2) allow the dog to leave if it chooses.  
47  
48

49 **Justification** This bill is important because we need to help these poor dogs and  
50 save their lives with better homes and ways to keep them warm. Dogs can only be  
51 outside for twenty-five mins before it will start having problems like hypothermia  
52 and overheating, and possibility frostbite are some of the effects of leaving your  
53 dog outside for too long. After thirty-two degrees Fahrenheit the dog can get  
54 hypothermia or frostbite. A dog needs to be kept in a warm environment or in a  
55 place where it can cool down depending on the temperature. Therefore, this bill is  
56 important because it does exactly that, it provides a more adequate living  
57 conditions for the animals we take for granted.  
58

59 **Fiscal Implications** This bill will have no environmental implications  
60

61 **Environmental Implications** This bill will have no fiscal implications  
62

63 **Effective Date** This bill will have no fiscal implications