

LAWS OF NEW YORK, 2002

CHAPTER 680

ANACT to amend the general municipal law, in relation to notification of the presence of wild animals

Became a law December 20, 2002, with the approval of the Governor.
Passed by a majority vote, three-fifths being present.

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

Section 1. The general municipal law is amended by adding a new section 209-cc to read as follows:

§ 209-cc. Notification of presence of wild animals. 1. The knowledge of the presence of dangerous wild animals, in the context of emergency services responses, is necessary to protect public safety and the safety of emergency services personnel.

2. As used in this section:

(a) the term "emergency services personnel" means fire, police, and ambulance personnel.

(b) the term "person" means any individual, partnership, corporation, association, or other entity.

(c) the term "wild animal" means any or all of the following orders and families:

(1) Nonhuman primates and prosimians

(2) Felidae (with the exception of domesticated cats);

(3) Canidae (with the exception of domesticated dogs);

(4) Ursidae;

(5) All venomous snakes and all constrictors and python snakes that are ten feet or greater in length; and

(6) Crocodylia that are five feet or greater in length.

3. The state fire administrator, in consultation with the department of environmental conservation, shall develop and maintain a list of the common names of wild animals to be reported.

4. Except for pet dealers as defined in section seven hundred fifty-two-a of the general business law and zoological facilities licensed pursuant to 7 USC 2132, every person owning, possessing, or harboring a wild animal within this state shall report the presence thereof to the clerk of the city, town, or village in which such wild animal is owned, possessed, or harbored. Such report shall be filed annually on a date to be determined by the state fire administrator in the manner prescribed by the state fire administrator. A separate report shall be filed for each street address at which any such wild animal may be found.

5. Such clerk shall forward a copy of such report to each state police troop, county sheriff, and municipal police agency having jurisdiction over the location of such wild animal. A copy thereof shall also be forwarded to each fire department, fire corporation, or fire company serving such location and to each ambulance or emergency medical service department, ambulance corporation, or ambulance or emergency medical service company serving such location. In lieu of forwarding a copy of

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each report, the clerk may compile the contents of the several reports, and forward the compilation.

6. Any person who fails to report the presence of a wild animal as required in this section shall be subject to a civil penalty of not more than two hundred fifty dollars for the first offense, and upon being found guilty of a second or subsequent offense, by a civil penalty of not less than two hundred fifty dollars or more than one thousand dollars. Except as otherwise provided by law, such a violation shall not be a crime and the penalty or punishment imposed therefore shall not be deemed for any purpose a criminal penalty or punishment and shall not impose any disability upon or affect or impair the credibility as a witness, or otherwise, of a person found guilty thereof.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided that the state fire administrator is authorized to promulgate any and all rules and regulations and take any other measures necessary or convenient to implement this act on its effective date on or before such date.

The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

JOSEPH L. BRUNO
Temporary President of the Senate

SHELDON SILVER
Speaker of the Assembly