

§ 432. Foster care provider requirements.

1. No person may operate as a foster care provider in this state without first having signed a written agreement with an animal shelter licensed pursuant to this article stating that such person may operate as a foster care provider with the approval and under the responsibility of such animal shelter. Such agreement shall be renewed not less than once every two years, and a copy of such agreement shall be kept by both the animal shelter and foster care provider and made available for inspection by the commissioner upon request. It shall be the responsibility of the animal shelter entering into such agreement with any foster care provider pursuant to this article to ensure that such foster care provider is able to responsibly harbor and provide necessary sustenance for any animal placed in their care by such animal shelter in a manner that promotes the good health, safety and welfare of such animals. No animal shelter shall knowingly enter into any agreement pursuant to this subdivision with any person who has been previously convicted of a violation of any provision of article twenty-six of this chapter or regulations promulgated thereunder pertaining to humane treatment of animals, cruelty to animals, endangering the life or health of an animal, or violation of any federal, state, or local law pertaining to the care, treatment, sale, possession, or handling of animals or any regulation or rule relating to the endangerment of the life or health of an animal.

2. Foster care providers may harbor animals owned by a licensed animal shelter but shall not own such animals and shall keep a copy of the current record of each animal harbored under any agreement established pursuant to subdivision one of this section. Such record shall be maintained at the physical premises where such foster care providers harbor such animals. Animal shelters may, if appropriate to protect the identity of the source of any animal, provide their foster care providers with a partial animal record that excludes the name and address of the organization or individual from whom such animal was obtained and the date of receipt, so long as such animal shelters keep a copy of the complete record at the location where it maintains such records pursuant to section four hundred twenty-three of this article. It is the responsibility of the animal shelter with which such foster care provider has established an agreement pursuant to subdivision one of this section to ensure compliance with this subdivision.

3. Any animal harbored by a foster care provider pursuant to this section that is affected by an infectious or contagious disease shall be handled in a manner that prevents the spread of such disease in accordance with subdivision nine of section four hundred twenty-four of this article. It shall be the responsibility of the animal shelter with which such foster care provider has established an agreement pursuant to subdivision one of this section to ensure compliance with this subdivision.

* NB Effective December 15, 2025