

STATE OF NEW YORK

1171--A

Cal. No. 1467

2025-2026 Regular Sessions

IN SENATE

January 8, 2025

Introduced by Sen. MATTERA -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- committee discharged and said bill committed to the Committee on Rules -- reported favorably from said committee, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the environmental conservation law, in relation to establishing a town of Huntington deer management pilot program; and providing for the repeal of certain provisions upon expiration thereof

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

Section 1. The environmental conservation law is amended by adding a new section 11-0522-b to read as follows:

§ 11-0522-b. Town of Huntington deer management pilot program.

1. For the purposes of this section, "nuisance wildlife specialist" shall mean an employee of or a contractor for the federal or state government responsible for wildlife management acting pursuant to a deer management plan and deer cull permit. A nuisance wildlife specialist must be in compliance with criteria established by the department that at a minimum shall require:

a. a minimum level of marksmanship qualifications appropriate to the firearm or hunting implement to be used;

b. liability insurance coverage or other financial arrangements identified by the department;

c. a copy of the cull permit and a copy of the log of nuisance wildlife specialists using the permit, be on the nuisance wildlife specialist's person when exercising any privilege of such permit; and

d. reporting requirements.

2. The department may, after reviewing the town of Huntington's cull permit application and site-specific deer management plan, and upon a

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 finding by the town of Huntington that deer have become a nuisance,
2 destructive to public or private property or a threat to public health
3 or welfare, issue a deer cull permit for use within the boundaries of
4 the town of Huntington, authorizing use of a nuisance wildlife special-
5 ist to take deer pursuant to the terms of the deer cull permit.

6 3. Each cull permit application shall at a minimum include require-
7 ments for: the timeframe during which the permit must be used, a site-
8 specific deer management plan, a geographic description of the area for
9 which the permit is being requested, a written contract with the town of
10 Huntington, a list which identifies participating nuisance wildlife
11 specialists and eligibility based on the criteria established by the
12 department, provided by the town of Huntington, requests for any author-
13 ization pursuant to subdivisions three-a and eleven of section 11-0505
14 of this title, subdivision two-a of section 11-0901 of this article, and
15 subdivisions two-a and four-a of section 11-0931 of this article,
16 provided that any such authorization subsequently granted shall be
17 explicitly included on any cull permit, and details regarding expected
18 local law enforcement consultation.

19 4. Nothing in this section shall be construed as requiring or obligat-
20 ing the department to issue a permit to take deer when in its opinion
21 the nuisance, destruction of property or threat to public health and
22 welfare will not be effectively abated thereby.

23 § 2. Subdivisions 3, 9 and 10 of section 11-0505 of the environmental
24 conservation law, subdivision 3 as separately amended by chapters 683
25 and 704 of the laws of 2023, paragraph b of subdivision 3 and subdivi-
26 sion 9 as amended by chapter 65 of the laws of 2024, and paragraph c of
27 subdivision 3 and subdivision 10 as amended by chapter 83 of the laws of
28 2024, are amended to read as follows:

29 3. No deer or bear traps shall be made, set or used upon land inhabit-
30 ed by deer or bear. No salt lick shall be made, set or used upon land
31 inhabited by deer or bear, except that:

32 a. the department may do so on state wildlife refuges and wildlife
33 management areas; and

34 b. a nuisance wildlife specialist with a permit issued pursuant to
35 ~~[section 11-0522 of]~~ this title may do so provided that such activities
36 are in furtherance of the site-specific deer management plan.

37 ~~[c. a nuisance wildlife specialist with a permit issued pursuant to~~
38 ~~section 11-0522-a of this title may do so provided that such activities~~
39 ~~are in furtherance of the site-specific deer management plan.]~~

40 9. A nuisance wildlife specialist with a permit issued pursuant to
41 ~~[section 11-0522 of]~~ this title may, in accordance with the parameters
42 of such permit and the consultation of local law enforcement, entice
43 deer in the manner prohibited in subdivision eight of this section
44 provided that such activities are in furtherance of the site-specific
45 deer management plan.

46 ~~[10. A nuisance wildlife specialist with a permit issued pursuant to~~
47 ~~section 11-0522-a of]~~ this title may, in accordance with the parameters
48 of such permit and the consultation of local law enforcement, entice
49 deer in the manner prohibited in subdivision eight of this section
50 provided that such activities are in furtherance of the site-specific
51 deer management plan.]

52 § 2-a. Subdivision 3 of section 11-0505 of the environmental conserva-
53 tion law, as amended by chapter 135 of the laws of 1982, is amended and
54 a new subdivision 9 is added to read as follows:

3. No deer or bear traps shall be made, set or used upon land inhabited by deer or bear. No salt lick shall be made, set or used upon land inhabited by deer or bear, except that:

a. the department may do so on state wildlife refuges and wildlife management areas; and

b. a nuisance wildlife specialist with a permit issued pursuant to this title may do so provided that such activities are in furtherance of the site-specific deer management plan.

9. A nuisance wildlife specialist with a permit issued pursuant to this title may, in accordance with the parameters of such permit and the consultation of local law enforcement, entice deer in the manner prohibited in subdivision eight of this section provided that such activities are in furtherance of the site-specific deer management plan.

§ 3. Subdivision 2 of section 11-0901 of the environmental conservation law, as separately amended by chapters 683 and 704 of the laws of 2023, paragraph b as amended by chapter 65 of the laws of 2024, and paragraph c as amended by chapter 83 of the laws of 2024, is amended to read as follows:

2. Wildlife shall not be taken on or from any public highway, except:

a. that in the forest preserve counties it may be taken from highways other than state, county or town highways; and

b. by a nuisance wildlife specialist with a permit issued pursuant to ~~[section 11-0522 of]~~ this article provided that such activities are in furtherance of the site-specific deer management plan.

~~[c. by a nuisance wildlife specialist with a permit issued pursuant to section 11-0522-a of this article provided that such activities are in furtherance of the site-specific deer management plan.]~~

§ 3-a. Subdivision 2 of section 11-0901 of the environmental conservation law is amended to read as follows:

2. Wildlife shall not be taken on or from any public highway, except:

a. that in the forest preserve counties it may be taken from highways other than state, county or town highways; and

b. by a nuisance wildlife specialist with a permit issued pursuant to this article provided that such activities are in furtherance of the site-specific deer management plan.

§ 4. Subdivision 2 and subparagraph 1 of paragraph b of subdivision 4 of section 11-0931 of the environmental conservation law, as separately amended by chapters 65 and 83 of the laws of 2024, are amended to read as follows:

2. a. No crossbow or firearm except a pistol or revolver shall be carried or possessed in or on a motor vehicle unless it is uncocked, for a crossbow or unloaded, for a firearm in both the chamber and the magazine, except that a loaded firearm which may be legally used for taking migratory game birds may be carried or possessed in a motorboat while being legally used in hunting migratory game birds, and b. no person except a law enforcement officer in the performance of ~~[his]~~ their official duties or a nuisance wildlife specialist with a permit issued pursuant to ~~[section 11-0522 of]~~ this article, provided that such activities are in furtherance of the site-specific deer management plan, ~~[or a nuisance wildlife specialist with a permit issued pursuant to section 11-0522-a of this article, provided that such activities are in furtherance of the site-specific deer management plan,]~~ shall, while in or on a motor vehicle, use a jacklight, spotlight or other artificial light upon lands inhabited by deer if ~~[he or she is]~~ they are in possession or ~~[is]~~ are accompanied by a person who is in possession, at the time of such use, of a longbow, crossbow or a firearm of any kind except a pistol or

1 revolver, unless such longbow or crossbow is unstrung or such firearm or
2 crossbow is taken down or securely fastened in a case or locked in the
3 trunk of the vehicle. For purposes of this subdivision, motor vehicle
4 shall mean every vehicle or other device operated by any power other
5 than muscle power, and which shall include but not be limited to automo-
6 biles, trucks, motorcycles, tractors, trailers and motorboats, snowmo-
7 biles and snowtravelers, whether operated on or off public highways.
8 Notwithstanding the provisions of this subdivision, the department may
9 issue a permit to any person who is non-ambulatory, except with the use
10 of a mechanized aid, to possess a loaded firearm in or on a motor vehi-
11 cle as defined in this section, subject to such restrictions as the
12 department may deem necessary in the interest of public safety. Nothing
13 in this section permits the possession of a pistol or a revolver contra-
14 ry to the penal law.

15 (1) The owner or lessee of the dwelling house, or members of ~~[his]~~
16 their immediate family actually residing therein, or a person in ~~[his]~~
17 the employ of such owner or lessee, or the guest of the owner or lessee
18 of the dwelling house acting with the consent of said owner or lessee,
19 provided however, that nothing herein shall be deemed to authorize such
20 persons to discharge a firearm within five hundred feet, a long bow
21 within one hundred fifty feet, or a crossbow within two hundred fifty
22 feet of any other dwelling house, or a farm building or farm structure
23 actually occupied or used, or a school building or playground, public
24 structure, or occupied factory or church; provided further, that a
25 nuisance wildlife specialist with a permit issued pursuant to ~~[section~~
26 ~~11-0522 of]~~ this article acting in furtherance of the ~~[site-specific]~~
27 site-specific deer management plan may discharge a firearm within five
28 hundred feet of any dwelling houses, structures, schools or playgrounds,
29 provided that the owners or lessees thereof have been notified by certi-
30 fied mail of the date or dates, and time period of the expected activ-
31 ity, and discharge a firearm within two hundred fifty feet of such
32 dwelling houses, structures, schools or playgrounds provided that all
33 the owners or lessees thereof have provided written consent~~;~~ ~~provided~~
34 ~~further, that a nuisance wildlife specialist with a permit issued pursu-~~
35 ~~ant to section 11-0522-a of this article acting in furtherance of the~~
36 ~~site-specific deer management plan may discharge a firearm within five~~
37 ~~hundred feet of any dwelling houses, structures, schools or playgrounds,~~
38 ~~provided that the owners or lessees thereof have been notified by certi-~~
39 ~~fied mail of the date or dates and time period of the expected activity,~~
40 ~~and discharge a firearm within two hundred fifty feet of such dwelling~~
41 ~~houses, structures, schools or playgrounds provided that all the owners~~
42 ~~or lessees thereof have provided written consent];~~

43 § 4-a. Subdivision 2 and subparagraph 1 of paragraph b of subdivision
44 4 of section 11-0931 of the environmental conservation law, as amended
45 by section 8 of part EE of chapter 55 of the laws of 2014, are amended
46 to read as follows:

47 2. a. No crossbow or firearm except a pistol or revolver shall be
48 carried or possessed in or on a motor vehicle unless it is uncocked, for
49 a crossbow or unloaded, for a firearm in both the chamber and the maga-
50 zine, except that a loaded firearm which may be legally used for taking
51 migratory game birds may be carried or possessed in a motorboat while
52 being legally used in hunting migratory game birds, and b. no person
53 except a law enforcement officer in the performance of ~~[his]~~ their offi-
54 cial duties or a nuisance wildlife specialist with a permit issued
55 pursuant to this article, provided that such activities are in further-
56 ance of the site-specific deer management plan, shall, while in or on a

1 motor vehicle, use a jacklight, spotlight or other artificial light upon
2 lands inhabited by deer if ~~[he or she is]~~ they are in possession or is
3 accompanied by a person who is in possession, at the time of such use,
4 of a longbow, crossbow or a firearm of any kind except a pistol or
5 revolver, unless such longbow or crossbow is unstrung or such firearm or
6 crossbow is taken down or securely fastened in a case or locked in the
7 trunk of the vehicle. For purposes of this subdivision, motor vehicle
8 shall mean every vehicle or other device operated by any power other
9 than muscle power, and which shall include but not be limited to automo-
10 biles, trucks, motorcycles, tractors, trailers and motorboats, snowmo-
11 biles and snowtravelers, whether operated on or off public highways.
12 Notwithstanding the provisions of this subdivision, the department may
13 issue a permit to any person who is non-ambulatory, except with the use
14 of a mechanized aid, to possess a loaded firearm in or on a motor vehi-
15 cle as defined in this section, subject to such restrictions as the
16 department may deem necessary in the interest of public safety. Nothing
17 in this section permits the possession of a pistol or a revolver contra-
18 ry to the penal law.

19 (1) The owner or lessee of the dwelling house, or members of ~~[his]~~
20 their immediate family actually residing therein, or a person in ~~[his]~~
21 the employ, or the guest of the owner or lessee of the dwelling house
22 acting with the consent of said owner or lessee, provided however, that
23 nothing herein shall be deemed to authorize such persons to discharge a
24 firearm within five hundred feet, a long bow within one hundred fifty
25 feet, or a crossbow within two hundred fifty feet of any other dwelling
26 house, or a farm building or farm structure actually occupied or used,
27 or a school building or playground, public structure, or occupied facto-
28 ry or church; provided further, that a nuisance wildlife specialist with
29 a permit issued pursuant to this article acting in furtherance of the
30 site-specific deer management plan may discharge a firearm within five
31 hundred feet of any dwelling houses, structures, schools or playgrounds,
32 provided that the owners or lessees thereof have been notified by certi-
33 fied mail of the date or dates and time period of the expected activity,
34 and discharge a firearm within two hundred fifty feet of such dwelling
35 houses, structures, schools or playgrounds provided that all the owners
36 or lessees thereof have provided written consent;

37 § 5. The department of environmental conservation, following consulta-
38 tion with the town of Huntington shall prepare a report examining the
39 effectiveness of the town of Huntington deer management pilot program
40 established pursuant to section 11-0522-b of the environmental conserva-
41 tion law in addressing deer overpopulation and the effectiveness in
42 addressing destruction to public or private property in the town of
43 Huntington. The report shall include the number of cull permits issued,
44 and the number of deer taken. The report shall also include recommenda-
45 tions for program improvements, including the potential effectiveness of
46 authorizing future programs. The report shall be delivered to the gover-
47 nor, the speaker of the assembly and the temporary president of the
48 senate, as well as published on the department's public website, no
49 later than thirty months after the effective date of this act.

50 § 6. This act shall take effect on the first of January next succeed-
51 ing the date on which it shall have become a law and sections one and
52 five shall expire and be deemed repealed three years after such date;
53 provided further, however, that the amendments to subdivisions 3, 9 and
54 10 of section 11-0505 of the environmental conservation law made by
55 section two of this act, subdivision 2 of section 11-0901 of the envi-
56 ronmental conservation law made by section three of this act and subdi-

1 vision 2 and subparagraph 1 of paragraph b of subdivision 4 of section
2 11-0931 of the environmental conservation law made by section four of
3 this act shall be subject to the expiration and reversion or repeal, as
4 applicable, of such subdivisions and such paragraph pursuant to section
5 6 of chapters 683 and 704 of the laws of 2023, as amended, when upon
6 such date the provisions of sections two-a, three-a, and four-a of this
7 act shall take effect.