

STATE OF NEW YORK

8823

IN SENATE

January 8, 2026

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the environmental conservation law, in relation to the department of environmental conservation's regulation of crabs; and to amend a chapter of the laws of 2025, amending the environmental conservation law relating to extending certain provisions relating to the department of environmental conservation's regulation of crabs, and to prohibiting the taking of horseshoe crabs for commercial and biomedical purposes, as proposed in legislative bills numbers S. 4289 and A. 4997, in relation to the effectiveness thereof; 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:

1 Section 1. Subdivision 7 of section 13-0331 of the environmental
2 conservation law, as amended by section 1 of a chapter of the laws of
3 2025, amending the environmental conservation law relating to extending
4 certain provisions relating to the department of environmental conserva-
5 tion's regulation of crabs, and to prohibiting the taking of horseshoe
6 crabs for commercial and biomedical purposes, as proposed in legislative
7 bills numbers S. 4289 and A. 4997, is amended to read as follows:
8 7. The department may, until December thirty-first, two thousand
9 [~~twenty-seven~~ twenty-nine, fix by regulation measures for the manage-
10 ment of crabs of any kind including horseshoe crabs (*Limulus* sp.),
11 including minimum and maximum size limits, catch and possession limits,
12 open and closed seasons including lunar closures, closed areas,
13 restrictions on the manner of taking and landing including a prohibition
14 on the harvest of crabs in amplexus, requirements for permits and eligi-
15 bility therefor, recordkeeping requirements, requirements on the amount
16 and type of fishing effort and gear, and requirements relating to trans-
17 portation, possession and sale, provided that such regulations are no
18 less restrictive than requirements set forth in this chapter and
19 provided further that such regulations are consistent with the compli-
20 ance requirements of applicable fishery management plans adopted by the
21 Atlantic States Marine Fisheries Commission and with applicable

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

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1 provisions of fishery management plans adopted pursuant to the Federal
2 Fishery Conservation and Management Act (16 U.S.C. § 1800 et seq.).

3 § 2. Subdivision 7 of section 13-0331 of the environmental conserva-
4 tion law, as amended by section 2 of a chapter of the laws of 2025,
5 amending the environmental conservation law relating to extending
6 certain provisions relating to the department of environmental conserva-
7 tion's regulation of crabs, and to prohibiting the taking of horseshoe
8 crabs for commercial and biomedical purposes, as proposed in legislative
9 bills numbers S. 4289 and A. 4997, is amended to read as follows:

10 7. The department may, until December thirty-first, two thousand
11 [~~twenty-seven~~ twenty-nine, fix by regulation measures for the manage-
12 ment of crabs of any kind, excluding horseshoe crabs (*Limulus* sp.),
13 including minimum and maximum size limits, catch and possession limits,
14 open and closed seasons including lunar closures, closed areas,
15 restrictions on the manner of taking and landing including a prohibition
16 on the harvest of crabs in amplexus, requirements for permits and eligi-
17 bility therefor, recordkeeping requirements, requirements on the amount
18 and type of fishing effort and gear, and requirements relating to trans-
19 portation, possession and sale, provided that such regulations are no
20 less restrictive than requirements set forth in this chapter and
21 provided further that such regulations are consistent with the compli-
22 ance requirements of applicable fishery management plans adopted by the
23 Atlantic States Marine Fisheries Commission and with applicable
24 provisions of fishery management plans adopted pursuant to the Federal
25 Fishery Conservation and Management Act (16 U.S.C. § 1800 et seq.).

26 § 3. The department of environmental conservation is hereby authorized
27 and directed to take any actions necessary to ensure that any quota
28 limiting the taking of horseshoe crabs (*Limulus* sp.) pursuant to section
29 13-0331 of the environmental conservation law shall:

30 (1) in 2026, not exceed seventy-five percent of the annual commercial
31 horseshoe crab quota established by the department of environmental
32 conservation in the 2025 Horseshoe Crab Quota Distribution Plan, devel-
33 oped pursuant to 6 NYCRR 44.3 (b);

34 (2) in 2027, not exceed fifty percent of the annual commercial
35 horseshoe crab quota established by the department of environmental
36 conservation in the 2025 Horseshoe Crab Quota Distribution Plan devel-
37 oped pursuant to 6 NYCRR 44.3 (b); and

38 (3) in 2028, not exceed twenty-five percent of the annual commercial
39 horseshoe crab quota established by the department of environmental
40 conservation in the 2025 Horseshoe Crab Quota Distribution Plan, devel-
41 oped pursuant to 6 NYCRR 44.3 (b).

42 § 4. Section 3 of a chapter of the laws of 2025, amending the environ-
43 mental conservation law relating to extending certain provisions relat-
44 ing to the department of environmental conservation's regulation of
45 crabs, and to prohibiting the taking of horseshoe crabs for commercial
46 and biomedical purposes, as proposed in legislative bills numbers S.
47 4289 and A. 4997, is amended to read as follows:

48 § 3. This act shall take effect immediately; provided, however, that
49 the provisions of section two of this act shall take effect January 1,
50 [~~2026~~ 2029.

51 § 5. This act shall take effect immediately; provided, however, that
52 the provisions of sections one and two of this act shall take effect on
53 the same date and in the same manner as a chapter of the laws of 2025,
54 amending the environmental conservation law relating to extending
55 certain provisions relating to the department of environmental conserva-
56 tion's regulation of crabs, and to prohibiting the taking of horseshoe

1 crabs for commercial and biomedical purposes, as proposed in legislative
2 bills numbers S. 4289 and A. 4997, takes effect; and provided, however,
3 that the provisions of section three of this act shall expire and be
4 deemed repealed January 1, 2029.