S T A T E O F N E W Y O R K

1998

2009-2010 Regular Sessions

I N A S S E M B L Y

January 14, 2009

Introduced by M. of A. THIELE -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to defining the term public highway for purposes of unlawfully feeding deer

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 8 of section 11-0505 of the environmental conservation law, as added by chapter 381 of the laws of 1997, is amended to read as follows:

8. No person shall place, give, expose, deposit, distribute or scatter any substance with the intent to attract or entice deer to feed within three hundred feet of a public highway. Normal agricultural practice of planting, cultivating or harvesting and the feeding of deer held captive for agricultural purposes or the feeding of deer held captive in zoos and wildlife parks shall not be considered attracting or enticing deer to feed for the purposes of this section. *FOR PURPOSES OF THIS SUBDIVISION, THE TERM "PUBLIC HIGHWAY" SHALL MEAN ANY HIGHWAY, ROAD, STREET, AVENUE, PUBLIC PLACE, PUBLIC DRIVEWAY OR ANY OTHER PUBLIC RIGHT-OF-WAY WHERE THE PUBLIC HAS A GENERAL RIGHT OF PASSAGE WITH A MOTOR VEHICLE. PUBLIC HIGHWAY SHALL NOT INCLUDE PRIVATE DRIVEWAYS.*

S 2. This act shall take effect immediately.

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

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