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

2212

2011-2012 Regular Sessions

I N A S S E M B L Y

January 14, 2011

Introduced by M. of A. ZEBROWSKI, CALHOUN -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to prohibiting the licensing of slaughterhouses within a fifteen hundred foot radius of a residential dwelling

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

Section 1. Section 96-b of the agriculture and markets law is amended by adding a new subdivision 4 to read as follows:

4. IN NEW YORK STATE, EXCEPT IN A CITY WITH A POPULATION OF ONE MILLION OR MORE, THE COMMISSIONER SHALL NOT LICENSE ANY PERSON, FIRM, PARTNERSHIP OR CORPORATION TO OPERATE ANY PLACE OR ESTABLISHMENT WHERE ANIMALS AND/OR FOWLS ARE SLAUGHTERED OR BUTCHERED FOR FOOD WITHIN A FIFTEEN HUNDRED FOOT RADIUS OF A RESIDENTIAL DWELLING. THIS SUBDIVISION SHALL NOT APPLY TO ANY PREMISES UPON WHICH A PERSON, FIRM, PARTNERSHIP OR CORPORATION HAS BEEN CONTINUOUSLY CONDUCTING BUSINESS AS DESCRIBED IN THIS SUBDIVISION FROM A DATE PRIOR TO THE EFFECTIVE DATE OF THIS SUBDIVISION.

S 2. Section 96-b of the agriculture and markets law, as amended by section 2 of part I1 of chapter 62 of the laws of 2003, is amended to read as follows:

S 96-b. License required. 1. No person, firm, partnership or corporation not granted inspection pursuant to the federal meat inspection act, the federal poultry products inspection act, article five-B or article five-D of this chapter shall operate any place or establishment where animals or fowls are slaughtered or butchered for food unless such person, firm, partnership or corporation be licensed by the commissioner. In addition to any other requirements established by the commissioner, such license shall prohibit the slaughter or butchering by slaughterhouses of domesticated dog and domesticated cat to create food, meat, meat by-products or meat food products for human or animal consumption.

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

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An application for license shall be made upon a form prescribed by the commissioner on or before the first day of May in every other year, for a two year license period commencing upon the following first day of June. With the application there shall be paid a license fee of two hundred dollars.

2. IN NEW YORK STATE, EXCEPT IN A CITY WITH A POPULATION OF ONE MILLION OR MORE, THE COMMISSIONER SHALL NOT LICENSE ANY PERSON, FIRM, PARTNERSHIP OR CORPORATION TO OPERATE ANY PLACE OR ESTABLISHMENT WHERE ANIMALS AND/OR FOWLS ARE SLAUGHTERED OR BUTCHERED FOR FOOD WITHIN A FIFTEEN HUNDRED FOOT RADIUS OF A RESIDENTIAL DWELLING. THIS SUBDIVISION SHALL NOT APPLY TO ANY PREMISES UPON WHICH A PERSON, FIRM, PARTNERSHIP OR CORPORATION HAS BEEN CONTINUOUSLY CONDUCTING BUSINESS AS DESCRIBED IN THIS SUBDIVISION FROM A DATE PRIOR TO THE EFFECTIVE DATE OF THE CHAPTER OF THE LAWS OF TWO THOUSAND ELEVEN WHICH ADDED THIS SUBDIVISION.

S 3. This act shall take effect immediately; provided that the amendments to section 96-b of the agriculture and markets law made by section one of this act shall be subject to the expiration and reversion of such section pursuant to section 3 of chapter 395 of the laws of 2008, as amended, when upon such date the provisions of section two of this act shall take effect.