

7955

I N S E N A T E

October 29, 2014

Introduced by Sens. LANZA, AVELLA, GOLDEN -- (at request of the Governor) -- 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 musical instruments containing ivory or rhinoceros horn; and to amend chapter 326 of the laws of 2014 amending the environmental conservation law relating to prohibiting the purchase and sale of ivory articles and rhinoceros horns and increasing the penalties for the illegal sale of such articles, in relation to amending the effective date thereof and permitting the sale of mammoth items through June 30, 2015

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

1 Section 1. Paragraph d of subdivision 3 of section 11-0535-a of the
2 environmental conservation law, as added by chapter 326 of the laws of
3 2014, is amended to read as follows:
4 d. the ivory article or rhinoceros horn is [part] LESS THAN TWENTY
5 PERCENT BY VOLUME of a musical instrument, including, without limita-
6 tion, string and wind instruments and pianos, and the owner or seller
7 provides historical documentation as the department may require, demon-
8 strating provenance and showing the item was manufactured no later than
9 nineteen hundred seventy-five IF THE INSTRUMENT CONTAINS ELEPHANT IVORY,
10 OR JUNE THIRTIETH, TWO THOUSAND FOURTEEN IF THE INSTRUMENT CONTAINS ONLY
11 MAMMOTH IVORY.
12 S 2. Section 7 of chapter 326 of the laws of 2014 amending the envi-
13 ronmental conservation law relating to prohibiting the purchase and sale
14 of ivory articles and rhinoceros horns and increasing penalties for the
15 illegal sale of such articles, is amended to read as follows:
16 S 7. This act shall take effect immediately; provided, however, any
17 person who has been issued a license or permit allowing the sale of
18 elephant ivory articles or rhinoceros horns prior to the effective date
19 of this act may sell such articles listed on such license or permit
20 until such license or permit has expired; AND PROVIDED FURTHER, THAT ANY
21 PERSON WHO POSSESSES MAMMOTH IVORY ARTICLES ON THE DATE THIS ACT TAKES
22 EFFECT MAY SELL, OFFER FOR SALE, TRADE, BARTER, OR DISTRIBUTE SUCH ARTI-

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

LBD12118-01-4

1 CLES THROUGH JUNE 30, 2015, IF THE ARTICLES ARE ACCOMPANIED BY DOCUMEN-
2 TATION SUFFICIENT TO SHOW THAT SUCH ARTICLES ARE MAMMOTH IVORY OBTAINED
3 PRIOR TO THE EFFECTIVE DATE OF THIS ACT.
4 S 3. This act shall take effect immediately, and shall be deemed to
5 have been in full force and effect on the same date and in the same
6 manner as chapter 326 of the laws of 2014, took effect.