STATE OF NEW YORK

7542

IN SENATE

January 24, 2020

Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to making animal killing contests, competitions, tournaments and derbys unlawful

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

Section 1. Subdivisions 14, 15 and 16 of section 11-0901 of the environmental conservation law, subdivision 14 as renumbered by chapter 486 of the laws of 1985, are renumbered subdivisions 15, 16 and 17 and a new subdivision 14 is added to read as follows:

14. It shall be unlawful for any person to organize, sponsor, conduct, promote, or participate in any contest, competition, tournament, or derby with the objective of taking the largest number of small game, wild birds, other than wild turkeys, and domestic game birds for prizes or other inducement, or for entertainment. Any small game, wild birds, other than turkeys, and domestic game birds injured during the course of a contest, competition, tournament, or derby conducted in violation of this subdivision shall be transported to a licensed wildlife rehabilitator or veterinarian for treatment or humane euthanasia if best efforts to rehabilitate and release the animal fail. The remains of any small game, wild birds, other than turkeys, and domestic game birds killed during the course of a contest, competition, tournament, or derby conducted in violation of this subdivision shall be forfeited by every organizer, promoter, participant or any other person conducting or involved in such contest, competition, tournament, or derby and the remains of such small game, wild birds, other than turkeys, and domestic game birds shall become the property of the department. The provisions of this subdivision shall not apply to special dog training areas or field trials pursuant to sections 11-0925 and 11-0927 of this title, or similar canine performance events.

§ 2. Section 71-0921 of the environmental conservation law is amended by adding a new subdivision 10-a to read as follows:

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

LBD05042-06-0

10-a. Violations of subdivision fourteen of section 11-0901 of this chapter involving unlawful contests, competitions, tournaments and derbys to take small game, wild birds, other than turkeys, and domestic game birds. Each such misdemeanor shall be punishable by imprisonment for not more than one year or by a fine of not less than five hundred dollars nor more than two thousand dollars, or by both such imprisonment and fine.

§ 3. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.