# STATE OF NEW YORK

S. 3713 A. 5506

2019-2020 Regular Sessions

# SENATE - ASSEMBLY

February 13, 2019

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

IN ASSEMBLY -- Introduced by M. of A. THIELE -- Multi-Sponsored by -- M. of A. FITZPATRICK -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to recreational and commercial spearfishing in New York's marine and coastal waters

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

Section 1. Paragraph c of subdivision 1 of section 11-1301 of the environmental conservation law, as added by chapter 435 of the laws of 2014, is amended to read as follows:

c. Except as otherwise prohibited by law, fish may be taken by spear or speargun in the marine and coastal district [~~only~~] for recreational **and commercial** purposes. A speargun must be submerged when used to take fish. Provided, however, that no food fish may be taken by spear or speargun within one hundred yards of a public bathing area.

§ 2. Section 13-0347 of the environmental conservation law is amended by adding a new subdivision 5 to read as follows:

**5. Striped bass may be taken in New York's marine and coastal district for all purposes by use of a spear or speargun as defined by paragraph f of subdivision one of section 11-0103 of this chapter.**

§ 3. This act shall take effect immediately, provided, however, that the amendments to paragraph c of subdivision 1 of section 11-1301 of the environmental conservation law made by section one of this act shall not affect the repeal of such paragraph and shall be deemed repealed therewith.

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

LBD03215-01-9