# STATE OF NEW YORK

8963

# IN ASSEMBLY

January 6, 2020

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

AN ACT to amend the environmental conservation law, in relation to the required criteria to be designated as a vulnerable species; and to amend a chapter of the laws of 2019, amending the environmental conservation law relating to designating certain species as vulnerable species and prohibiting the sale of articles made from such vulnerable species, in relation to the effectiveness thereof

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

Section 1. Paragraph (a) of subdivision 1 of section 11-0535-b of the environmental conservation law, as added by a chapter of the laws of 2019, amending the environmental conservation law relating to designating certain species as vulnerable species and prohibiting the sale of articles made from such vulnerable species, as proposed in legislative bills numbers S. 5098 and A. 6600, is amended to read as follows:

(a) On the basis of credible scientific evidence, which may include information contained on the international union for conservation of nature and natural resources red list of threatened species, or other similar data:

(i) the species has an observed, estimated[~~, inferred,~~] or projected [~~or suspected~~] population [~~size reduction of thirty percent or more over the last ten years or three generations, whichever is longer~~] decline that if unreversed, will likely result in the species becoming endangered or threatened within the foreseeable future; or

(ii) [~~the geographic range of the species is less than eight thousand square miles and the area of occupancy is less than eight hundred square miles, and the species' habitat is severely fragmented or the species is found in fewer than ten locations; or~~

~~(iii) there are less than ten thousand mature individuals and the risk of extinction of the species within one hundred years is more than ten percent; or~~

~~(iv)~~] other factors that may cause the species to go extinct if they are not identified and reversed;

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

LBD10508-02-0

§ 2. Section 6 of a chapter of the laws of 2019, amending the environmental conservation law relating to designating certain species as vulnerable species and prohibiting the sale of articles made from such vulnerable species, as proposed in legislative bills numbers S. 5098 and A. 6600, is amended to read as follows:

§ 6. This act shall take effect immediately **provided that section 5 of this act shall expire and be deemed repealed January 1, 2021**.

§ 3. This act shall take effect immediately; provided, however, that section one of this act takes effect on the same date and in the same manner as a chapter of the laws of 2019, amending the environmental conservation law relating to designating certain species as vulnerable species and prohibiting the sale of articles made from such vulnerable species, as proposed in legislative bills numbers S. 5098 and A. 6600, takes effect.