STATE OF NEW YORK

5439

2021-2022 Regular Sessions

IN SENATE

March 5, 2021

Introduced by Sen. BRISPORT -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to the prohibition on fur products

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

Section 1. The general business law is amended by adding a new section 399-bbbb to read as follows:

§ 399-bbbb. Prohibition on fur products. 1. Notwithstanding any other law, rule or regulation to the contrary, beginning twenty-four months after this section takes effect, it shall be unlawful to sell, offer for sale, display for sale, trade, give, donate, or otherwise distribute a fur product by any means in the state.

2. Notwithstanding any other law, rule or regulation to the contrary, beginning twenty-four months after this section takes effect, it shall be unlawful to manufacture a fur product in the state.

3. Subdivision one of this section shall not apply to the sale, offer for sale, display for sale, trade, gift, donation, or other distribution of used fur products by a person not normally engaged in the business of selling fur products, non-profit organization, or second-hand stores including pawn shops.

4. Subdivision two of this section shall not apply to the manufacture of any fur product using fur sourced exclusively from used fur products.

5. Notwithstanding the provisions of subdivisions one and two of this section, the manufacture and sale of fur products shall not be prohibited when such manufacture and sale is for the exclusive distribution to and use by persons who purchase such products in order to conform to or comply with a religious or cultural practice.

6. The fine for a violation of this section shall be up to five hundred dollars for a first violation; up to seven hundred fifty dollars for a second violation; and up to one thousand dollars for each addi-

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

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tional violation. Each fur product that does not comply with the provisions of this section shall constitute a separate violation. Costs and fees may be recovered, including attorney's fees.

7. For purposes of this section:

(a) "Fur" means any animal skin or part thereof with hair, fleece, or fur fibers attached thereto, either in its raw or processed state. "Fur" does not include such skins or parts thereof as are to be converted into leather, which in processing will have the hair, fleece, or fur fiber completely removed; cowhide with hair attached thereto; or lambskin or sheepskin with fleece attached thereto.

(b) "Fur product" means any article of clothing or covering for any part of the body, or any fashion accessory, including but not limited to handbags, shoes, slippers, hats, earmuffs, scarves, shawls, gloves, jewelry, and key chains, that is made in whole or in part of fur.

(c) "Used fur product" means a fur product that a person has acquired for his or her own use and worn.

§ 2. This act shall take effect immediately.