STATE OF NEW YORK

6836

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

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

AN ACT to amend the environmental conservation law, in relation to wild or exotic animals

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

Section 1. Paragraph e of subdivision 6 of section 11-0103 of the environmental conservation law, as amended by chapter 10 of the laws of 2005, is amended to read as follows:

e. "Wild **or exotic** animal" shall not include "companion animal" as defined in section three hundred fifty of the agriculture and markets law. **"Wild animal" means indigenous, non-domesticated animals native to the country in which they live. "Exotic animal" means a wild animal with an origin of a different continent.** Wild **or exotic** animal includes, and is limited to, any or all of the following **genus,** orders and families:

(1) Nonhuman primates and prosimians,

(2) Felidae and all hybrids thereof, with the exception of the species Felis catus (domesticated and feral cats, which shall mean domesticated cats that were formerly owned and that have been abandoned and that are no longer socialized, as well as offspring of such cats) and hybrids of Felis catus that are registered by the American Cat Fanciers Association or the International Cat Association provided that such cats be without any wild felid parentage for a minimum of five generations,

(3) Canidae (with the exception of domesticated dogs and captive bred fennec foxes (vulpes zerda)),

(4) Ursidae,

(5) All reptiles that are venomous by nature, pursuant to department regulation, and the following species and orders: Burmese Python (Python m. bivittatus), Reticulated Python (Python reticulatus), African Rock Python (Python sabae), Green Anaconda (Eunectes maurinus), Yellow Anaconda (Eunectes notaeus), Australian Amethystine Python (Morelia

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

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amethistina and Morelia kinghorni), Indian Python (Python molurus), Asiatic (water) Monitor (Varanus salvator), Nile Monitor (Varanus nilocitus), White Throat Monitor (Varanus albigularis), Black Throat Monitor (Varanus albigularis ionides) and Crocodile Monitor (Varanus salvadori), Komodo Dragon (Varanus komodensis) and any hybrid thereof,

(6) Crocodylia**,**

(7) Macropodidae including but not limited to kangaroos, wallabies, tree-kangaroos, wallaroos, pademelons and quokkas,

(8) Cetacea (including whales and dolphins),

(9) Elephantidae (elephants),

(10) Hyaenidae (hyenas),

(11) Perissodactyla (including rhinoceroses, tapirs and zebras),

(12) Pinnipedia (including seals, sea lions and walruses),

(13) Struthio (ostriches),

(14) Casuariiformes (including cassowaries and emus),

(15) Xenarthra (including sloths, anteaters and armadillos),

(16) Viverridae (including bearcats),

(17) Cynomys, and

(18) Capybaras.

§ 2. Paragraph a of subdivision 1 of section 11-0512 of the environmental conservation law, as amended by chapter 326 of the laws of 2012, is amended to read as follows:

a. knowingly possess, harbor, sell, barter, transfer, exchange or import any wild **or exotic** animal for use as a pet in New York state, except as provided in subdivision three of this section; or

§ 3. This act shall take effect immediately.