STATE OF NEW YORK

6211--C

Cal. No. 540

2023-2024 Regular Sessions

IN SENATE

April 3, 2023

Introduced by Sens. MARTINEZ, GOUNARDES, MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- recommitted to the Committee on Environmental Conservation in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

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 animal" shall not include "companion animal" as defined in section three hundred fifty of the agriculture and markets law. Wild animal includes,~~] **"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. The terms wild animal and exotic animal shall not include "companion animal" as defined in section three hundred fifty of the agriculture and markets law. Wild animals and exotic animals include** and [~~is~~] **are** limited to, any or all of the following orders [~~and~~]**,** families**, and genera**:

(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

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

LBD10398-09-4

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 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) Xenarthra (including sloths, anteaters and armadillos),

(14) Viverridae (including bearcats),

(15) Cynomys, and

(16) Capybaras.

§ 2. Section 11-0512 of the environmental conservation law is amended by adding a new subdivision 3-a to read as follows:

3-a. Any person who possesses or harbors an exotic animal pursuant to paragraph e of subdivision six of section 11-0103 of this article for use as a pet at the time that this subdivision takes effect may retain possession of such animal for the remainder of its life, provided that such person:

a. Has not been convicted of any offense relating to cruelty to animals or under a judicial order prohibiting possession of animals;

b. Applies to the department within six months of the effective date of this section, and obtains from the department, a license pursuant to subdivision four of this section;

§ 3. This act shall take effect immediately.