STATE OF NEW YORK

4311

2023-2024 Regular Sessions

IN SENATE

February 7, 2023

Introduced by Sens. SEPULVEDA, HARCKHAM, MAYER -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to prohibiting the operation of establishments where animals and/or fowls are slaughtered and butchered for food

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

Section 1. Legislative intent. The legislature hereby finds that emergency measures must be enacted to help prevent the spread of zoonotic and other infectious diseases. Experts throughout the world have concluded that the COVID-19 crisis is likely attributable to a live animal market. Inspection reports from the department of agriculture and markets indicate ongoing health, safety and welfare problems at New York's markets. Hundreds of thousands of human lives have already been lost and millions of people have been sickened during the COVID-19 pandemic. The purpose of this law is to eliminate one potential vector for the transmission of zoonotic diseases, live animal markets, and the suffering it causes therefrom at least until there is further examination by infectious disease experts of the nexus between zoonotic diseases and live animal markets.

§ 2. The agriculture and markets law is amended by adding a new section 96-ee to read as follows:

§ 96-ee. Prohibition of the operation of establishments where animals and/or fowls are slaughtered for food. 1. Notwithstanding any provision of law to the contrary:

(a) the commissioner shall not license any person, firm, partnership or corporation to operate any place or establishment where animals and/or fowls are slaughtered or butchered for food;

(b) the commissioner shall immediately suspend the license of any person, firm, partnership or corporation that currently holds a license

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

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issued by the commissioner to operate any place or establishment where animals and/or fowls are slaughtered or butchered for food; and

(c) no person, firm, partnership or corporation that currently holds a license issued by the commissioner to operate any place or establishment where animals and/or fowls are slaughtered or butchered for food shall operate such establishment after the effective date of this section.

2. (a) A task force on public health risks and animal welfare concerns of slaughterhouses is hereby established. Such task force shall conduct and complete a thorough examination of facilities heretofore licensed by the department under this article and their effect on public health and safety and animal welfare.

(b) Such task force shall consist of seven members, to be appointed as follows: one member to be appointed by the governor; two members to be appointed by the temporary president of the senate; two members to be appointed by the speaker of the assembly; one member to be appointed by the commissioner or his or her designee; and one member to be appointed by the commissioner of health or his or her designee. Appointees shall have expertise in infectious diseases, and, in particular, the potential spread of diseases between animals raised or slaughtered for food and humans. At least one such representative shall be from a duly incorporated animal welfare organization, and at least one such representative shall be a licensed veterinarian who is not employed by a government agency.

(c) No member, officer or employee of such task force shall be disqualified from holding any other public office or employment, nor shall he or she forfeit any such office or employment by reason of his or her appointment pursuant to this section, notwithstanding the provisions of any general, special or local law, ordinance or city charter.

(d) The members of such task force shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties pursuant to this section.

(e) Such task force shall make a report of its findings to the governor, the temporary president of the senate, and the speaker of the assembly within one year of the date of the first meeting of the task force, which shall take place within thirty days of the appointment of the task force representatives. Such report shall include recommendations for further action and legislation.

3. Nothing in this section shall be construed to apply to any facilities other than live poultry or small animal slaughterhouses pursuant to this article which are open to the public.

§ 3. This act shall take effect immediately.