

# 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:

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

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

16 § 96-ee. Prohibition of the operation of establishments where animals  
17 and/or fowls are slaughtered for food. 1. Notwithstanding any provision  
18 of law to the contrary:

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

22 (b) the commissioner shall immediately suspend the license of any  
23 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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1 issued by the commissioner to operate any place or establishment where  
2 animals and/or fowls are slaughtered or butchered for food; and

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

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

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

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

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

33 (e) Such task force shall make a report of its findings to the gover-  
34 nor, the temporary president of the senate, and the speaker of the  
35 assembly within one year of the date of the first meeting of the task  
36 force, which shall take place within thirty days of the appointment of  
37 the task force representatives. Such report shall include recommenda-  
38 tions for further action and legislation.

39 3. Nothing in this section shall be construed to apply to any facili-  
40 ties other than live poultry or small animal slaughterhouses pursuant to  
41 this article which are open to the public.

42 § 3. This act shall take effect immediately.