

# STATE OF NEW YORK

4363

2023-2024 Regular Sessions

## IN SENATE

February 7, 2023

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to prohibiting the issuance of permits authorizing the use of wild animals in circuses or traveling animal acts

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

1 Section 1. The environmental conservation law is amended by adding a  
2 new section 11-0541 to read as follows:

3 § 11-0541. Prohibition on the issuance of permits authorizing the use of  
4 wild animals in circuses or traveling animal acts.

5 1. The department shall not issue a permit or license, including, but  
6 not limited to, an education or exhibition permit or an endangered or  
7 threatened species license, authorizing the exhibition of a wild animal  
8 in a circus notwithstanding a valid United States department of agricul-  
9 ture license, or a traveling animal act.

10 2. Such a prohibition shall not apply to:

11 a. a facility accredited by the Association of Zoos and Aquariums;

12 b. a wildlife sanctuary.

13 3. For the purposes of this section the following terms shall have the  
14 following meanings:

15 (a) "traveling animal act" shall mean any performance of wild animals  
16 where such animals are transported to, from, or between locations for  
17 the purpose of such performance; and

18 (b) "performance" shall mean any exhibition or public showing in which  
19 wild animals are required to perform tricks, give rides, or participate  
20 as accompaniments for the entertainment, amusement, or benefit of a live  
21 audience.

22 § 2. This act shall take effect December 31, 2024.

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

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