

# STATE OF NEW YORK

10566

## IN ASSEMBLY

March 13, 2026

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

AN ACT to amend the agriculture and markets law and the state finance  
law, in relation to establishing a food bank for pets pilot program

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

1 Section 1. The agriculture and markets law is amended by adding a new  
2 section 387 to read as follows:

3 § 387. Food banks for pets pilot program. 1. For the purposes of this  
4 section, the term "selected non-profit organizations and volunteer  
5 groups or organizations" means and includes those non-profit organiza-  
6 tions and volunteer groups or organizations that have been selected by  
7 the department as participants in the food banks for pets pilot program.

8 2. (a) The department shall develop and implement, in cooperation  
9 with, and with the participation of, selected non-profit organizations  
10 and volunteer groups or organizations, a food banks for pets pilot  
11 program to provide food for cats and dogs to pet owners who have finan-  
12 cial challenges in providing for their pets without assistance. The  
13 pilot program shall operate for a term of at least one year after the  
14 effective date of this section, but the program may be extended subject  
15 to further appropriation. Further, if the department determines that the  
16 pilot program, after one year of operations still has funds pursuant to  
17 the initial appropriation and is achieving its goals, the pilot program  
18 shall continue until such appropriation is exhausted. No later than one  
19 year after the pilot program is implemented, the department shall submit  
20 to the governor and to the legislature a written report containing  
21 information on the implementation of the pilot program, including a  
22 recommendation on establishing the food banks for pets pilot program as  
23 a permanent program or disbanding the program.

24 (b) In establishing the food banks for pets pilot program, the depart-  
25 ment shall be authorized to:

26 (i) determine eligibility criteria and establish a process by which  
27 appropriate non-profit organizations and volunteer groups or organiza-  
28 tions are to be selected to participate in the pilot program;

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

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1 (ii) identify, solicit the participation of, and select appropriate  
2 non-profit organizations and volunteer groups or organizations to  
3 participate in the pilot program;

4 (iii) provide delegated authority to selected non-profit organizations  
5 and volunteer groups or organizations to implement the pilot program, by  
6 means including, but not limited to:

7 (1) obtaining, collecting, and distributing pet food;

8 (2) collecting, and coordinating the use of, monetary donations and  
9 donations of pet food;

10 (3) establishing and operating food banks for pets in municipalities  
11 throughout the state; and

12 (4) establishing and applying criteria for prioritizing pet owners  
13 accessing food banks for pets;

14 (iv) coordinate and facilitate with municipalities and selected non-  
15 profit organizations and volunteer groups or organizations with respect  
16 to the establishment and operation of food banks for pets in munici-  
17 palities throughout the state;

18 (v) take appropriate actions to encourage non-profit organizations and  
19 volunteer groups or organizations to participate in the implementation  
20 of the pilot program;

21 (vi) take appropriate actions, including, but not limited to, develop-  
22 ing informational materials for distribution to municipalities and pet  
23 owners, as necessary to inform pet owners about the pilot program and  
24 encourage their participation; and

25 (vii) take any other actions, including, but not limited to, adopting  
26 rules and regulations the commissioner determines to be necessary or  
27 appropriate to implement the provisions of this section.

28 (c) The department shall also consult with any animal shelter as  
29 defined in section four hundred twenty of this chapter in the state  
30 concerning the role these facilities may wish to have in the operation  
31 of food banks for pets and concerning any needs these facilities may  
32 have for access to food banks for pets. The department may provide for  
33 the involvement of these facilities in the pilot program, as deemed by  
34 the department to be necessary and appropriate, in any rules and regu-  
35 lations adopted pursuant to subparagraph (vii) of paragraph (b) of this  
36 subdivision.

37 3. (a) Any donor of pet food, who donates pet food under the pilot  
38 program, in good faith, to a food bank for pets, or to a selected non-  
39 profit organization or volunteer group or organization operating a food  
40 bank for pets, shall not be liable for any damages resulting from the  
41 consumption of the donated pet food.

42 (b) A food bank for pets, or a selected non-profit organization,  
43 volunteer group or organization, or agent thereof, who, in good faith,  
44 receives or distributes donated pet food pursuant to the pilot program  
45 established pursuant to this section, shall not be liable for damages  
46 resulting from the consumption of pet food.

47 (c) This section shall apply to any good faith donation, receipt, or  
48 distribution of pet food, which is effectuated under the pilot program,  
49 regardless of compliance with any laws, rules, regulations, or ordi-  
50 nances regulating the quality or labeling of pet food.

51 4. A selected non-profit organization or volunteer group or organiza-  
52 tion that establishes or operates a food bank for pets, and any individ-  
53 ual who participates in the operation of a food bank for pets, pursuant  
54 to this section, shall not be liable for damages in any civil action  
55 concerning the operation of the food bank for pets unless the damage is  
56 a direct result of the gross negligence, recklessness, or knowing

1 misconduct of the non-profit organization, volunteer group or organiza-  
2 tion, or the individual participating in the operation of the food bank.

3 § 2. The state finance law is amended by adding a new section 99-uu to  
4 read as follows:

5 § 99-uu. Food banks for pets pilot program fund. 1. A special fund to  
6 be known as the "food banks for pets pilot program fund" is hereby  
7 established in the custody of the state comptroller and the commissioner  
8 of taxation and finance.

9 2. The fund shall consist of all monies appropriated, credited, or  
10 transferred to such fund pursuant to law, all monies required by any  
11 provision of law to be paid into or credited to the fund and any inter-  
12 est earnings which may accrue from the investment of monies in the fund.  
13 Nothing contained in this section shall prevent the state from receiving  
14 grants, gifts or bequests for the purposes of the fund as defined in  
15 this section and depositing them in the fund according to law.

16 3. Monies of the fund, when allocated, shall be available to the  
17 department of health to provide grants pursuant to the provisions of  
18 section three hundred eighty-seven of the agriculture and markets law.  
19 The commissioner shall expend the moneys deposited in the fund, in addi-  
20 tion to any interest accrued thereon and any dividends and returns  
21 resulting from investment of the moneys in the fund, for any of the  
22 following purposes:

23 (a) advertising and publicizing the pilot program;

24 (b) developing and distributing informational materials in implement-  
25 ing the pilot program;

26 (c) awarding grants to selected nonprofit organizations and volunteer  
27 groups or organizations for the establishment or operation of food banks  
28 for pets under the pilot program;

29 (d) offsetting any costs incurred by the department, or by a munici-  
30 pality or selected nonprofit organization or volunteer group or organ-  
31 ization, in complying with the provisions of this section; and

32 (e) providing financing for any other activity or endeavor that is  
33 consistent with the purposes of this section, and that will support, or  
34 facilitate the efficient and effective operation of, the food banks for  
35 pets pilot program.

36 4. Monies shall be payable from the fund on the audit and warrant of  
37 the comptroller on vouchers approved and certified by the commissioner  
38 of the department of agriculture and markets.

39 § 3. This act shall take effect on the one hundred eightieth day after  
40 it shall have become a law. Effective immediately, the addition, amend-  
41 ment and/or repeal of any rule or regulation necessary for the implemen-  
42 tation of this act on its effective date are authorized to be made and  
43 completed on or before such effective date.