# 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 Assembly, do enact as follows:**

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

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

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

**(b) In establishing the food banks for pets pilot program, the department shall be authorized to:**

**(i) determine eligibility criteria and establish a process by which appropriate non-profit organizations and volunteer groups or organizations 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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(ii) identify, solicit the participation of, and select appropriate non-profit organizations and volunteer groups or organizations to participate in the pilot program;

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

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

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

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

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

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

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

(vi) take appropriate actions, including, but not limited to, developing informational materials for distribution to municipalities and pet owners, as necessary to inform pet owners about the pilot program and encourage their participation; and

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

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

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

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

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

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

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

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

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

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

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

(a) advertising and publicizing the pilot program;

(b) developing and distributing informational materials in implementing the pilot program;

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

(d) offsetting any costs incurred by the department, or by a municipality or selected nonprofit organization or volunteer group or organization, in complying with the provisions of this section; and

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

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

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.