

STATE OF NEW YORK

8327

2025-2026 Regular Sessions

IN ASSEMBLY

May 13, 2025

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

AN ACT to amend the general business law, in relation to prohibiting the
sale of certain birds at retail

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

1 Section 1. Section 753-f of the general business law, as amended by
2 chapter 35 of the laws of 2023, is amended to read as follows:
3 § 753-f. Sale of dogs, cats [~~and~~], rabbits and birds prohibited. 1. A
4 retail pet shop as defined in this article shall not sell, lease, offer
5 to lease, offer to sell, barter, auction, or otherwise transfer owner-
6 ship of any dog, cat [~~or~~], rabbit or bird. This section shall not be
7 construed to prohibit a retail pet shop from collaborating with the
8 following entities to provide space to showcase dogs, cats [~~or~~], rabbits
9 or birds owned by such entities for the purpose of adoption; any duly
10 incorporated society for the prevention of cruelty to animals, duly
11 incorporated humane society, duly incorporated animal protective associ-
12 ation or other duly incorporated animal adoption or animal rescue organ-
13 ization that:
14 (a) is exempt from taxes pursuant to paragraph (3) of subsection (c)
15 of section 501 of the federal Internal Revenue Code, 26 U.S.C. 501, or
16 any subsequent corresponding sections of the federal Internal Revenue
17 Code, as from time to time amended;
18 (b) is registered with the department pursuant to section four hundred
19 eight of the agriculture and markets law;
20 (c) is not affiliated with, or housed on the premises of a breeder or
21 broker that does not obtain dogs, cats [~~or~~], rabbits or birds from a
22 breeder or broker in exchange for payment or compensation; and
23 (d) does not resell dogs, cats [~~or~~], rabbits or birds obtained from a
24 breeder or broker or provide payment or compensation to such breeder or
25 broker.

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

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1 2. This section shall not prohibit a retail pet shop from receiving a
2 reasonable rental fee for space to showcase dogs, cats [~~ex~~], rabbits or
3 birds for adoption at such retail pet shop.

4 3. For purposes of this section "bird" shall mean all live birds
5 except domesticated game birds as defined in paragraph a of subdivision
6 four of section 11-0103 of the environmental conservation law and other
7 domesticated birds including chickens, turkeys, guinea fowl, peafowl and
8 pigeons.

9 § 2. This act shall take effect on the one hundred eightieth day after
10 it shall have become a law.