

STATE OF NEW YORK

10179

IN SENATE

May 4, 2026

Introduced by Sen. MARTINS -- 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 establishing a counties of Nassau and Suffolk deer management pilot program; to repeal subdivision 10 of section 11-0505 of the environmental conservation law relating thereto; and providing for the repeal of certain provisions upon expiration thereof

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 11-0522-b to read as follows:

3 § 11-0522-b. Counties of Nassau and Suffolk deer management pilot
4 program.

5 1. For the purposes of this section, "nuisance wildlife specialist"
6 shall mean an employee of or a contractor for the federal or state
7 government responsible for wildlife management acting pursuant to a deer
8 management plan and deer cull permit. A nuisance wildlife specialist
9 must be in compliance with criteria established by the department that
10 at a minimum shall require:

11 a. a minimum level of marksmanship qualifications appropriate to the
12 firearm or hunting implement to be used;

13 b. liability insurance coverage or other financial arrangements iden-
14 tified by the department;

15 c. a copy of the cull permit and a copy of the log of nuisance wild-
16 life specialists using the permit, be on the nuisance wildlife special-
17 ist's person when exercising any privilege of such permit; and

18 d. reporting requirements.

19 2. The department may, after reviewing a cull permit application and
20 site-specific deer management plan from the county of Nassau, the county
21 of Suffolk or any municipality within such counties which has opted into
22 the program pursuant to subdivision three of this section, and upon a
23 finding by the county of Nassau, county of Suffolk or municipality ther-
24 ein that deer have become a nuisance, destructive to public or private
25 property or a threat to public health or welfare, issue a deer cull

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

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1 permit for use within the boundaries of the county of Nassau, county of
2 Suffolk or applicable municipality, authorizing use of a nuisance wild-
3 life specialist to take deer pursuant to the terms of the deer cull
4 permit.

5 3. a. Any town, city, or village located within the county of Nassau
6 or the county of Suffolk may elect to participate in the pilot program
7 established by this section by adoption of a local law or resolution.
8 Such municipality may:

9 (i) submit a cull permit application directly to the department; or

10 (ii) authorize the county within which it is located to include such
11 municipality within a county-wide application.

12 b. No deer cull activities shall occur within a municipality unless
13 such municipality has affirmatively opted into the program.

14 4. Each cull permit application shall at a minimum include require-
15 ments for: the timeframe during which the permit must be used, a site-
16 specific deer management plan, a geographic description of the area for
17 which the permit is being requested, a written contract with the county
18 of Nassau, county of Suffolk or the municipality that applied for such
19 permit, a list which identifies participating nuisance wildlife special-
20 ists and eligibility based on the criteria established by the depart-
21 ment, provided by the county of Nassau, county of Suffolk or the muni-
22 city that applied for such permit, requests for any authorization
23 pursuant to subdivisions three-a and eleven of section 11-0505 of this
24 title, subdivision two-a of section 11-0901 of this article, and subdivi-
25 sions two-a and four-a of section 11-0931 of this article, provided
26 that any such authorization subsequently granted shall be explicitly
27 included on any cull permit, and details regarding expected local law
28 enforcement consultation.

29 5. Nothing in this section shall be construed as requiring or obligat-
30 ing the department to issue a permit to take deer when in its opinion
31 the nuisance, destruction of property or threat to public health and
32 welfare will not be effectively abated thereby.

33 § 2. Subdivisions 3 and 9 of section 11-0505 of the environmental
34 conservation law, subdivision 3 as separately amended by chapters 683
35 and 704 of the laws of 2023, paragraph b of subdivision 3 and subdivi-
36 sion 9 as amended by chapter 65 of the laws of 2024, and paragraph c of
37 subdivision 3 as amended by chapter 83 of the laws of 2024, are amended
38 to read as follows:

39 3. No deer or bear traps shall be made, set or used upon land inhabit-
40 ed by deer or bear. No salt lick shall be made, set or used upon land
41 inhabited by deer or bear, except that:

42 a. the department may do so on state wildlife refuges and wildlife
43 management areas; and

44 b. a nuisance wildlife specialist with a permit issued pursuant to
45 [~~section 11-0522 of~~] this title may do so provided that such activities
46 are in furtherance of the site-specific deer management plan.

47 [~~c. a nuisance wildlife specialist with a permit issued pursuant to~~
48 ~~section 11-0522-a of this title may do so provided that such activities~~
49 ~~are in furtherance of the site-specific deer management plan.~~]

50 9. A nuisance wildlife specialist with a permit issued pursuant to
51 [~~section 11-0522 of~~] this title may, in accordance with the parameters
52 of such permit and the consultation of local law enforcement, entice
53 deer in the manner prohibited in subdivision eight of this section
54 provided that such activities are in furtherance of the site-specific
55 deer management plan.

1 § 3. Subdivision 10 of section 11-0505 of the environmental conserva-
2 tion law is REPEALED.

3 § 4. Subdivision 3 of section 11-0505 of the environmental conserva-
4 tion law, as amended by chapter 135 of the laws of 1982, is amended and
5 a new subdivision 9 is added to read as follows:

6 3. No deer or bear traps shall be made, set or used upon land inhabit-
7 ed by deer or bear. No salt lick shall be made, set or used upon land
8 inhabited by deer or bear, except that:

9 a. the department may do so on state wildlife refuges and wildlife
10 management areas; and

11 b. a nuisance wildlife specialist with a permit issued pursuant to
12 this title may do so provided that such activities are in furtherance of
13 the site-specific deer management plan.

14 9. A nuisance wildlife specialist with a permit issued pursuant to
15 this title may, in accordance with the parameters of such permit and the
16 consultation of local law enforcement, entice deer in the manner prohib-
17 ited in subdivision eight of this section provided that such activities
18 are in furtherance of the site-specific deer management plan.

19 § 5. Subdivision 2 of section 11-0901 of the environmental conserva-
20 tion law, as separately amended by chapters 683 and 704 of the laws of
21 2023, paragraph b as amended by chapter 65 of the laws of 2024, and
22 paragraph c as amended by chapter 83 of the laws of 2024, is amended to
23 read as follows:

24 2. Wildlife shall not be taken on or from any public highway, except:

25 a. that in the forest preserve counties it may be taken from highways
26 other than state, county or town highways; and

27 b. by a nuisance wildlife specialist with a permit issued pursuant to
28 [~~section 11-0522 of~~] this article provided that such activities are in
29 furtherance of the site-specific deer management plan.

30 [~~c. by a nuisance wildlife specialist with a permit issued pursuant to~~
31 ~~section 11-0522 a of this article provided that such activities are in~~
32 ~~furtherance of the site-specific deer management plan.~~]

33 § 6. Subdivision 2 of section 11-0901 of the environmental conserva-
34 tion law is amended to read as follows:

35 2. Wildlife shall not be taken on or from any public highway, except:

36 a. that in the forest preserve counties it may be taken from highways
37 other than state, county or town highways; and

38 b. by a nuisance wildlife specialist with a permit issued pursuant to
39 this article provided that such activities are in furtherance of the
40 site-specific deer management plan.

41 § 7. Subdivision 2 and subparagraph 1 of paragraph b of subdivision 4
42 of section 11-0931 of the environmental conservation law, as separately
43 amended by chapters 65 and 83 of the laws of 2024, are amended to read
44 as follows:

45 2. a. No crossbow or firearm except a pistol or revolver shall be
46 carried or possessed in or on a motor vehicle unless it is uncocked, for
47 a crossbow or unloaded, for a firearm in both the chamber and the maga-
48 zine, except that a loaded firearm which may be legally used for taking
49 migratory game birds may be carried or possessed in a motorboat while
50 being legally used in hunting migratory game birds, and b. no person
51 except a law enforcement officer in the performance of [~~his~~] such law
52 enforcement officer's official duties or a nuisance wildlife specialist
53 with a permit issued pursuant to [~~section 11-0522 of~~] this article,
54 provided that such activities are in furtherance of the site-specific
55 deer management plan, [~~or a nuisance wildlife specialist with a permit~~
56 ~~issued pursuant to section 11-0522 a of this article, provided that such~~

1 ~~activities are in furtherance of the site specific deer management~~
2 ~~plan,~~ shall, while in or on a motor vehicle, use a jacklight, spotlight
3 or other artificial light upon lands inhabited by deer if [~~he or she is~~]
4 such law enforcement officer or nuisance wildlife specialist are in
5 possession or [~~is~~] are accompanied by a person who is in possession, at
6 the time of such use, of a longbow, crossbow or a firearm of any kind
7 except a pistol or revolver, unless such longbow or crossbow is unstrung
8 or such firearm or crossbow is taken down or securely fastened in a case
9 or locked in the trunk of the vehicle. For purposes of this subdivision,
10 motor vehicle shall mean every vehicle or other device operated by any
11 power other than muscle power, and which shall include but not be limit-
12 ed to automobiles, trucks, motorcycles, tractors, trailers and motor-
13 boats, snowmobiles and snowtravelers, whether operated on or off public
14 highways. Notwithstanding the provisions of this subdivision, the
15 department may issue a permit to any person who is non-ambulatory,
16 except with the use of a mechanized aid, to possess a loaded firearm in
17 or on a motor vehicle as defined in this section, subject to such
18 restrictions as the department may deem necessary in the interest of
19 public safety. Nothing in this section permits the possession of a
20 pistol or a revolver contrary to the penal law.

21 (1) The owner or lessee of the dwelling house, or members of [~~his~~] the
22 owner or lessee of the dwelling house's immediate family actually resid-
23 ing therein, or a person in [~~his~~] the employ of such owner or lessee, or
24 the guest of the owner or lessee of the dwelling house acting with the
25 consent of said owner or lessee, provided however, that nothing herein
26 shall be deemed to authorize such persons to discharge a firearm within
27 five hundred feet, a long bow within one hundred fifty feet, or a cross-
28 bow within two hundred fifty feet of any other dwelling house, or a farm
29 building or farm structure actually occupied or used, or a school build-
30 ing or playground, public structure, or occupied factory or church;
31 provided further, that a nuisance wildlife specialist with a permit
32 issued pursuant to [~~section 11-0522 of~~] this article acting in further-
33 ance of the [~~site-specific~~] site-specific deer management plan may
34 discharge a firearm within five hundred feet of any dwelling houses,
35 structures, schools or playgrounds, provided that the owners or lessees
36 thereof have been notified by certified mail of the date or dates, and
37 time period of the expected activity, and discharge a firearm within two
38 hundred fifty feet of such dwelling houses, structures, schools or play-
39 grounds provided that all the owners or lessees thereof have provided
40 written consent[~~, provided further, that a nuisance wildlife specialist~~
41 ~~with a permit issued pursuant to section 11-0522-a of this article~~
42 ~~acting in furtherance of the site specific deer management plan may~~
43 ~~discharge a firearm within five hundred feet of any dwelling houses,~~
44 ~~structures, schools or playgrounds, provided that the owners or lessees~~
45 ~~thereof have been notified by certified mail of the date or dates and~~
46 ~~time period of the expected activity, and discharge a firearm within two~~
47 ~~hundred fifty feet of such dwelling houses, structures, schools or play-~~
48 ~~grounds provided that all the owners or lessees thereof have provided~~
49 ~~written consent~~];

50 § 8. Subdivision 2 and subparagraph 1 of paragraph b of subdivision 4
51 of section 11-0931 of the environmental conservation law, as amended by
52 section 8 of part EE of chapter 55 of the laws of 2014, are amended to
53 read as follows:

54 2. a. No crossbow or firearm except a pistol or revolver shall be
55 carried or possessed in or on a motor vehicle unless it is uncocked, for
56 a crossbow or unloaded, for a firearm in both the chamber and the maga-

1 zine, except that a loaded firearm which may be legally used for taking
2 migratory game birds may be carried or possessed in a motorboat while
3 being legally used in hunting migratory game birds, and b. no person
4 except a law enforcement officer in the performance of [~~his~~] such law
5 enforcement officer's official duties or a nuisance wildlife specialist
6 with a permit issued pursuant to this article, provided that such activ-
7 ities are in furtherance of the site-specific deer management plan,
8 shall, while in or on a motor vehicle, use a jacklight, spotlight or
9 other artificial light upon lands inhabited by deer if [~~he or she is~~]
10 such law enforcement officer or nuisance wildlife specialist are in
11 possession or is accompanied by a person who is in possession, at the
12 time of such use, of a longbow, crossbow or a firearm of any kind except
13 a pistol or revolver, unless such longbow or crossbow is unstrung or
14 such firearm or crossbow is taken down or securely fastened in a case or
15 locked in the trunk of the vehicle. For purposes of this subdivision,
16 motor vehicle shall mean every vehicle or other device operated by any
17 power other than muscle power, and which shall include but not be limit-
18 ed to automobiles, trucks, motorcycles, tractors, trailers and motor-
19 boats, snowmobiles and snowtravelers, whether operated on or off public
20 highways. Notwithstanding the provisions of this subdivision, the
21 department may issue a permit to any person who is non-ambulatory,
22 except with the use of a mechanized aid, to possess a loaded firearm in
23 or on a motor vehicle as defined in this section, subject to such
24 restrictions as the department may deem necessary in the interest of
25 public safety. Nothing in this section permits the possession of a
26 pistol or a revolver contrary to the penal law.

27 (1) The owner or lessee of the dwelling house, or members of [~~his~~]
28 such owner or lessee of the dwelling house's immediate family actually
29 residing therein, or a person in [~~his~~] the employ, or the guest of the
30 owner or lessee of the dwelling house acting with the consent of said
31 owner or lessee, provided however, that nothing herein shall be deemed
32 to authorize such persons to discharge a firearm within five hundred
33 feet, a long bow within one hundred fifty feet, or a crossbow within two
34 hundred fifty feet of any other dwelling house, or a farm building or
35 farm structure actually occupied or used, or a school building or play-
36 ground, public structure, or occupied factory or church; provided
37 further, that a nuisance wildlife specialist with a permit issued pursu-
38 ant to this article acting in furtherance of the site-specific deer
39 management plan may discharge a firearm within five hundred feet of any
40 dwelling houses, structures, schools or playgrounds, provided that the
41 owners or lessees thereof have been notified by certified mail of the
42 date or dates and time period of the expected activity, and discharge a
43 firearm within two hundred fifty feet of such dwelling houses, struc-
44 tures, schools or playgrounds provided that all the owners or lessees
45 thereof have provided written consent;

46 § 9. The department of environmental conservation, following consulta-
47 tion with the county of Nassau, county of Suffolk or municipality there-
48 in, shall prepare a report examining the effectiveness of the counties
49 of Nassau and Suffolk deer management pilot program established pursuant
50 to section 11-0522-b of the environmental conservation law in addressing
51 deer overpopulation and the effectiveness in addressing destruction to
52 public or private property in the county of Nassau, county of Suffolk or
53 municipality therein. The report shall include the number of cull
54 permits issued, and the number of deer taken. The report shall also
55 include recommendations for program improvements, including the poten-
56 tial effectiveness of authorizing future programs. The report shall be

1 delivered to the governor, the speaker of the assembly and the temporary
2 president of the senate, as well as published on the department's public
3 website, no later than thirty months after the effective date of this
4 act.

5 § 10. This act shall take effect on the first of January next succeed-
6 ing the date on which it shall have become a law and sections one and
7 nine of this act shall expire and be deemed repealed three years after
8 such date; provided further, however, that the amendments to subdivi-
9 sions 3 and 9 of section 11-0505 of the environmental conservation law
10 made by section two of this act, subdivision 2 of section 11-0901 of the
11 environmental conservation law made by section five of this act and
12 subdivision 2 and subparagraph 1 of paragraph b of subdivision 4 of
13 section 11-0931 of the environmental conservation law made by section
14 seven of this act shall be subject to the expiration and reversion or
15 repeal, as applicable, of such subdivisions and such paragraph pursuant
16 to section 6 of chapters 683 and 704 of the laws of 2023, as amended,
17 when upon such date the provisions of sections four, six, and eight of
18 this act shall take effect.