STATE OF NEW YORK

7011

2025-2026 Regular Sessions

IN SENATE

March 28, 2025

Introduced by Sen. SCARCELLA-SPANTON -- 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 providing additional protections against seizure and euthanization for animals under the care of registered sanctuaries

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

Section 1. This act shall be known and may be cited as the "Peanut's law: humane animal protection act".

§ 2. Legislative findings and intent. The legislature finds that animals under the care of registered sanctuaries, such as the widely reported case of Peanut the Squirrel, require additional protections against seizure and euthanization. This act aims to ensure humane treatment, safeguard animal welfare, provide a clear appellate process, uphold public safety and human welfare, and to strengthen the rights of animal sanctuaries and responsible owners in retaining custody, implementing due process safeguards, and guaranteeing public safety while an appeal is pending. It intends to balance these priorities by ensuring that animal owners and licensed sanctuaries have a reasonable opportunity to appeal and to establish criteria for the safe confinement of animals during appeals.

§ 3. Paragraph h of subdivision 2 of section 11-0512 of the environmental conservation law, as amended by chapter 10 of the laws of 2005, is amended and four new subdivisions 1-a, 11, 12 and 13 are added to read as follows:

h. A wildlife sanctuary as defined in subdivision thirty-two of section 11-0103 of this article**. Any licensed wildlife sanctuary, as defined in subdivision thirty-two of section 11-0103 of this article, shall have specific procedural rights and protections for animals in its care. This includes facilities legally operating as 501(c)(3) organiza-**

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

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tions or any facility with a valid tax identification number and recognized as a sanctuary under state or federal law, granting them the right to an administrative hearing before the seizure or euthanization of an animal, except in exigent circumstances where there is an immediate risk to public safety. Animals maintained by registered sanctuaries that adhere to state and federal guidelines shall be exempt from seizure and euthanization procedures unless there is documented evidence that the animal presents an immediate threat to public safety, as confirmed by a qualified veterinarian;

1-a. For the purposes of this section, the following terms shall have the following meanings:

a. "Sanctuary" shall mean a facility legally registered as a 501(c)(3) or any other facility with a valid tax identification number that operates under state or federal law as a sanctuary, intended to house wild animals in non-domestic, non-pet capacities, as defined in subdivision thirty-two of section 11-0103 of this article.

b. "Immediate risk" is defined as situations where the presence of an animal poses a substantiated and direct threat to public health or safety, as confirmed by a licensed veterinarian.

11. Any animal seized by the department for testing or public health concerns is subject to a mandatory seventy-two-hour waiting period prior to euthanization, unless an immediate risk to public health or safety is verified by a licensed veterinarian. During this period, the department shall inform the owner or sanctuary in writing of their rights:

a. The right to appeal the seizure and euthanization within seventy-two hours of notification; and

b. The right to arrange immediate veterinary care, provided it does not endanger public health.

12. An owner or sanctuary may file an emergency appeal with the department within the seventy-two-hour waiting period to contest the decision to euthanize. Upon appeal, an emergency review board shall convene within the department, consisting of a licensed veterinarian, a sanctuary representative, and a public health official to review the circumstances. While an appeal is pending, the department shall ensure safe containment of the animal, either in a department-approved facility or within the sanctuary under specific containment measures, to mitigate any risk to public safety. The appellate board shall issue a final decision within forty-eight hours of the appeal filing. Should euthanization proceed, the department shall publicly release all relevant testing results within seven days. If test results are found to be negative, a licensed wildlife sanctuary shall have the right to seek redress for any harm caused by euthanization of such animal.

13. The department shall issue a quarterly report to the governor, the temporary president of the senate, the speaker of the assembly, and the minority leaders of the assembly and senate containing annual statistics on the number of animal seizures, euthanizations, appellate outcomes, and decisions, to provide transparency and inform future legislative adjustments. The information contained within this report shall also be published on the department's website.

§ 4. This act shall take effect immediately.