STATE OF NEW YORK

7421

2025-2026 Regular Sessions

IN SENATE

April 15, 2025

Introduced by Sen. MARTINEZ -- 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 octopus farming

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

Section 1. The environmental conservation law is amended by adding a new section 13-0316-a to read as follows:

§ 13-0316-a. Octopus farming.

1. Definitions. As used in this section, the following terms shall have the following meanings:

a. "Aquaculture" means the production of aquatic organisms under controlled conditions throughout part or all of their lifecycle.

b. "Octopus" means a cephalopod mollusk with a soft body and eight limbs belonging to the order Octopoda, and does not include wild caught octopuses or octopuses propagated, cultivated, maintained, reared, or harvested only for research purposes unrelated to commercial production.

2. Prohibition. a. No person shall engage in the aquaculture of any species of octopus in the state for the purpose of human consumption.

b. No business entity shall sell, possess, or transport any species of octopus in the state that is the result or product of aquaculture.

§ 2. Section 71-0925 of the environmental conservation law is amended by adding a new subdivision 7-d to read as follows:

7-d. If the violation was an act prohibited by subdivision two of section 13-0316-a of this chapter, or any rule or regulation adopted pursuant thereto, not to exceed one thousand dollars for each day and each offense. The department may adopt policies for the collection of penalties.

§ 3. This act shall take effect immediately. 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.

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

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