STATE OF NEW YORK

9473

IN SENATE

March 16, 2026

Introduced by Sen. HARCKHAM -- 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 and the agriculture and markets law, in relation to enacting the "lead-free game donation act"

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

Section 1. Short title. This act shall be known and may be cited as the "lead-free game donation act".

§ 2. Legislative findings. The legislature finds that:

1. Lead is a potent neurotoxin; no level of exposure is considered safe for humans. Children and pregnant people are most at risk.

2. Scientific studies and public health reviews have demonstrated that game taken with lead-based ammunition contains small, widely dispersed lead fragments.

3. Recipients of charitable food donations, often the neediest New Yorkers, should not bear the risk of lead contamination in donated game.

4. Chapter 358 of the laws of 2025 expanded lawful participation in archery seasons, including through the use of crossbows.

5. Encouraging the continuing growth of the use of non-lead ammunition is consistent with existing department of environmental conservation outreach programs, and aligns with New York's broader wildlife and public health goals.

§ 3. Paragraph d of subdivision 9 of section 11-0917 of the environmental conservation law, as amended by chapter 468 of the laws of 2011, is amended to read as follows:

d. Game legally taken may be donated to, and possessed, prepared and distributed by a charitable or not-for-profit organization which serves or distributes food without cost to the poor or needy. Game or packages of game donated pursuant to this paragraph shall, notwithstanding the requirements for tagging and labelling of game contained in paragraph b of subdivision [~~5~~] **five** of section 11-0911 of this title, be tagged, labelled or marked "not for sale" and such tag, label or marking shall identify the type of meat, **the method used to take the game and the**

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

LBD14603-02-6

category of ammunition if so used, the license number of the taker, the name and address of the professional processor of the game and the date of processing. The department shall make available instructions for the safe and sanitary preparation of game, a list of professional processors where potential donors may take their game for preparation and packaging and a list of charitable or not-for-profit organizations which accept donations of game. Professional processors, charitable and not-for-profit organizations may notify the department of their intention to participate in such distribution, and the department shall include them in its lists unless good cause otherwise exists.

§ 4. Section 11-0917 of the environmental conservation law is amended by adding a new subdivision 11 to read as follows:

11. a. For purposes of this subdivision, "lead ammunition" shall mean any ammunition that contains one or more percent of lead by weight.

b. Game taken by firearm using lead ammunition shall be ineligible for donation, distribution, or service for human consumption in New York state.

c. The commissioner, in consultation with the commissioner of health, may develop, update, and make public on the department's website, a list of ammunition that is recognized as non-lead ammunition.

d. Nothing in this subdivision shall prohibit game taken by archery, or by firearm using non-lead ammunition, from being eligible for donation, distribution, or service.

§ 5. Section 71-z of the agriculture and markets law is amended by adding a new subdivision 4 to read as follows:

4. Subdivision one of this section shall not apply to donations or distributions of game or wild game taken by firearm with lead ammunition, as defined by subdivision eleven of section 11-0917 of the environmental conservation law. Provided, however, that nothing in this subdivision shall prevent subdivision one of this section from applying to donations or distributions of game or wild game taken by archery, or by firearm with non-lead ammunition.

§ 6. This act shall take effect two years 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.