

STATE OF NEW YORK

10566

IN ASSEMBLY

March 13, 2026

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

AN ACT to amend the agriculture and markets law and the state finance
law, in relation to establishing a food bank for pets pilot program

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

1 Section 1. The agriculture and markets law is amended by adding a new
2 section 387 to read as follows:

3 § 387. Food banks for pets pilot program. 1. For the purposes of this
4 section, the term "selected non-profit organizations and volunteer
5 groups or organizations" means and includes those non-profit organiza-
6 tions and volunteer groups or organizations that have been selected by
7 the department as participants in the food banks for pets pilot program.

8 2. (a) The department shall develop and implement, in cooperation
9 with, and with the participation of, selected non-profit organizations
10 and volunteer groups or organizations, a food banks for pets pilot
11 program to provide food for cats and dogs to pet owners who have finan-
12 cial challenges in providing for their pets without assistance. The
13 pilot program shall operate for a term of at least one year after the
14 effective date of this section, but the program may be extended subject
15 to further appropriation. Further, if the department determines that the
16 pilot program, after one year of operations still has funds pursuant to
17 the initial appropriation and is achieving its goals, the pilot program
18 shall continue until such appropriation is exhausted. No later than one
19 year after the pilot program is implemented, the department shall submit
20 to the governor and to the legislature a written report containing
21 information on the implementation of the pilot program, including a
22 recommendation on establishing the food banks for pets pilot program as
23 a permanent program or disbanding the program.

24 (b) In establishing the food banks for pets pilot program, the depart-
25 ment shall be authorized to:

26 (i) determine eligibility criteria and establish a process by which
27 appropriate non-profit organizations and volunteer groups or organiza-
28 tions are to be selected to participate in the pilot program;

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

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1 (ii) identify, solicit the participation of, and select appropriate
2 non-profit organizations and volunteer groups or organizations to
3 participate in the pilot program;

4 (iii) provide delegated authority to selected non-profit organizations
5 and volunteer groups or organizations to implement the pilot program, by
6 means including, but not limited to:

7 (1) obtaining, collecting, and distributing pet food;

8 (2) collecting, and coordinating the use of, monetary donations and
9 donations of pet food;

10 (3) establishing and operating food banks for pets in municipalities
11 throughout the state; and

12 (4) establishing and applying criteria for prioritizing pet owners
13 accessing food banks for pets;

14 (iv) coordinate and facilitate with municipalities and selected non-
15 profit organizations and volunteer groups or organizations with respect
16 to the establishment and operation of food banks for pets in munici-
17 palities throughout the state;

18 (v) take appropriate actions to encourage non-profit organizations and
19 volunteer groups or organizations to participate in the implementation
20 of the pilot program;

21 (vi) take appropriate actions, including, but not limited to, develop-
22 ing informational materials for distribution to municipalities and pet
23 owners, as necessary to inform pet owners about the pilot program and
24 encourage their participation; and

25 (vii) take any other actions, including, but not limited to, adopting
26 rules and regulations the commissioner determines to be necessary or
27 appropriate to implement the provisions of this section.

28 (c) The department shall also consult with any animal shelter as
29 defined in section four hundred twenty of this chapter in the state
30 concerning the role these facilities may wish to have in the operation
31 of food banks for pets and concerning any needs these facilities may
32 have for access to food banks for pets. The department may provide for
33 the involvement of these facilities in the pilot program, as deemed by
34 the department to be necessary and appropriate, in any rules and regu-
35 lations adopted pursuant to subparagraph (vii) of paragraph (b) of this
36 subdivision.

37 3. (a) Any donor of pet food, who donates pet food under the pilot
38 program, in good faith, to a food bank for pets, or to a selected non-
39 profit organization or volunteer group or organization operating a food
40 bank for pets, shall not be liable for any damages resulting from the
41 consumption of the donated pet food.

42 (b) A food bank for pets, or a selected non-profit organization,
43 volunteer group or organization, or agent thereof, who, in good faith,
44 receives or distributes donated pet food pursuant to the pilot program
45 established pursuant to this section, shall not be liable for damages
46 resulting from the consumption of pet food.

47 (c) This section shall apply to any good faith donation, receipt, or
48 distribution of pet food, which is effectuated under the pilot program,
49 regardless of compliance with any laws, rules, regulations, or ordi-
50 nances regulating the quality or labeling of pet food.

51 4. A selected non-profit organization or volunteer group or organiza-
52 tion that establishes or operates a food bank for pets, and any individ-
53 ual who participates in the operation of a food bank for pets, pursuant
54 to this section, shall not be liable for damages in any civil action
55 concerning the operation of the food bank for pets unless the damage is
56 a direct result of the gross negligence, recklessness, or knowing

misconduct of the non-profit organization, volunteer group or organization, or the individual participating in the operation of the food bank.

§ 2. The state finance law is amended by adding a new section 99-uu to read as follows:

§ 99-uu. Food banks for pets pilot program fund. 1. A special fund to be known as the "food banks for pets pilot program fund" is hereby established in the custody of the state comptroller and the commissioner of taxation and finance.

2. The fund shall consist of all monies appropriated, credited, or transferred to such fund pursuant to law, all monies required by any provision of law to be paid into or credited to the fund and any interest earnings which may accrue from the investment of monies in the fund. Nothing contained in this section shall prevent the state from receiving grants, gifts or bequests for the purposes of the fund as defined in this section and depositing them in the fund according to law.

3. Monies of the fund, when allocated, shall be available to the department of health to provide grants pursuant to the provisions of section three hundred eighty-seven of the agriculture and markets law. The commissioner shall expend the moneys deposited in the fund, in addition to any interest accrued thereon and any dividends and returns resulting from investment of the moneys in the fund, for any of the following purposes:

(a) advertising and publicizing the pilot program;

(b) developing and distributing informational materials in implementing the pilot program;

(c) awarding grants to selected nonprofit organizations and volunteer groups or organizations for the establishment or operation of food banks for pets under the pilot program;

(d) offsetting any costs incurred by the department, or by a municipality or selected nonprofit organization or volunteer group or organization, in complying with the provisions of this section; and

(e) providing financing for any other activity or endeavor that is consistent with the purposes of this section, and that will support, or facilitate the efficient and effective operation of, the food banks for pets pilot program.

4. Monies shall be payable from the fund on the audit and warrant of the comptroller on vouchers approved and certified by the commissioner of the department of agriculture and markets.

§ 3. This act shall take effect on the one hundred eightieth day 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.