

STATE OF NEW YORK

4289

2025-2026 Regular Sessions

IN SENATE

February 3, 2025

Introduced by Sens. HOYLMAN-SIGAL, 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, in relation to extending certain provisions relating to the department of environmental conservation's regulation of crabs, and to prohibiting the taking of horseshoe crabs for commercial and biomedical purposes

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

1 Section 1. Subdivision 7 of section 13-0331 of the environmental
2 conservation law, as amended by chapter 243 of the laws of 2022, is
3 amended to read as follows:

4 7. The department may, until December thirty-first, two thousand
5 [~~twenty-four~~] twenty-seven, fix by regulation measures for the manage-
6 ment of crabs of any kind including horseshoe crabs (*Limulus* sp.),
7 including minimum and maximum size limits, catch and possession limits,
8 open and closed seasons including lunar closures, closed areas,
9 restrictions on the manner of taking and landing including a prohibition
10 on the harvest of crabs in amplexus, requirements for permits and eligi-
11 bility therefor, recordkeeping requirements, requirements on the amount
12 and type of fishing effort and gear, and requirements relating to trans-
13 portation, possession and sale, provided that such regulations are no
14 less restrictive than requirements set forth in this chapter and
15 provided further that such regulations are consistent with the compli-
16 ance requirements of applicable fishery management plans adopted by the
17 Atlantic States Marine Fisheries Commission and with applicable
18 provisions of fishery management plans adopted pursuant to the Federal
19 Fishery Conservation and Management Act (16 U.S.C. § 1800 et seq.).

20 § 2. Subdivisions 1, 7 and 8 of section 13-0331 of the environmental
21 conservation law, subdivision 1 as amended by chapter 447 of the laws of
22 2017, subdivision 7 as amended by section one of this act, and subdivi-

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

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1 sion 8 as amended by chapter 21 of the laws of 2018, are amended to read
2 as follows:

3 1. No person shall take crabs[~~, including horseshoe crabs (Limulus~~
4 ~~sp.)~~] for commercial purposes without first obtaining a permit from the
5 department. For purposes of this subdivision, a presumption of "commer-
6 cial purposes" shall be made wherein one takes or lands more than fifty
7 crabs in any one day or sells or barterers or offers for sale or barter
8 any crabs [~~he or she~~] such person has taken. Permits shall be issued to
9 individuals only but may be endorsed for use on a vessel, in which case
10 it shall cover all persons on board such vessel.

11 7. The department may, until December thirty-first, two thousand twenty-
12 seven, fix by regulation measures for the management of crabs of any
13 kind [~~including~~], excluding horseshoe crabs (Limulus sp.), including
14 minimum and maximum size limits, catch and possession limits, open and
15 closed seasons including lunar closures, closed areas, restrictions on
16 the manner of taking and landing including a prohibition on the harvest
17 of crabs in amplexus, requirements for permits and eligibility therefor,
18 recordkeeping requirements, requirements on the amount and type of fish-
19 ing effort and gear, and requirements relating to transportation,
20 possession and sale, provided that such regulations are no less restric-
21 tive than requirements set forth in this chapter and provided further
22 that such regulations are consistent with the compliance requirements of
23 applicable fishery management plans adopted by the Atlantic States
24 Marine Fisheries Commission and with applicable provisions of fishery
25 management plans adopted pursuant to the Federal Fishery Conservation
26 and Management Act (16 U.S.C. § 1800 et seq.).

27 8. [~~The department shall, when adopting regulation measures for the~~
28 ~~management of~~] No person shall take horseshoe crabs (Limulus sp.)
29 [~~pursuant to subdivision seven of this section, consult with any town,~~
30 ~~village or county that requests any municipal property be subject to a~~
31 ~~harvest closure~~], including for commercial or biomedical purposes, from
32 the waters of this state. Provided however that this section shall not
33 apply to the taking of horseshoe crabs (Limulus sp.) for bona fide
34 scientific or educational purposes including, but not limited to, public
35 or not-for-profit zoos and aquaria, as determined by the commissioner
36 pursuant to rules and regulations.

37 § 3. This act shall take effect immediately; provided, however, that
38 the provisions of section two of this act shall take effect January 1,
39 2026.