

6272

2019-2020 Regular Sessions

I N S E N A T E

May 31, 2019

Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to prohibiting municipalities from banning the sale of fur garments

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The general business law is amended by adding a new section 399-aaaa to read as follows:

§ 399-AAAA. PROHIBITION ON THE BANNING OF FUR PRODUCTS BY MUNICIPALITIES. 1. FOR PURPOSES OF THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

(A) "MUNICIPALITY" SHALL MEAN A COUNTY, CITY, TOWN OR VILLAGE LOCATED WITHIN THE STATE.

(B) "FUR" SHALL MEAN ANY ANIMAL SKIN OR PART THEREOF WITH HAIR, FLEECE OR FUR FIBERS ATTACHED THERETO, EITHER IN ITS RAW OR PROCESSED STATE.

(C) "FUR GARMENT" SHALL MEAN ANY ARTICLE OF CLOTHING OR COVERING FOR ANY PART OF THE BODY, OR ANY FASHION ACCESSORY, INCLUDING BUT NOT LIMITED TO HANDBAGS, SHOES, SLIPPERS, HATS, EARMUFFS, SCARVES, SHAWLS, GLOVES, JEWELRY, AND KEY CHAINS, THAT IS MADE IN WHOLE OR IN PART OF FUR.

2. IT SHALL BE UNLAWFUL FOR ANY MUNICIPALITY TO ENACT ANY LAW, RULE OR REGULATION IMPOSING A BAN ON THE SALE, OFFER TO SELL, DISPLAY FOR SALE, TRADING, GIVING, DONATION, OR OTHERWISE DISTRIBUTION OF A FUR GARMENT BY ANY MEANS.

§ 2. This act shall take effect immediately.

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

BILL NUMBER: S6272

SPONSOR: SAVINO

TITLE OF BILL: An act to amend the general business law, in relation to prohibiting municipalities from banning the sale of fur garments

PURPOSE:

Prohibits municipalities from banning the sale of fur garments

SUMMARY OF PROVISIONS:

Amends the general business law by adding a new section 399-aaaa - making it unlawful for any municipality to enact any law, rule regulation imposing a ban on the sale, offer to sell, display for sale, trading, giving, donation, or otherwise distribution of a fur garment by any means.

JUSTIFICATION:

New York State has a rich history based on the fur trade. Our state mammal, the beaver - once nearly driven out by pollution, habitat loss and hunting - has now been restored to healthy population levels. Beavers were even spotted in the Bronx in 2007 and 2010.

According to The Fur Information Council of America, there are approximately 1100 retailers and 100 manufacturers in the U.S. Most (85%) are small, family-run businesses, which have been passed from generation to generation. In the global fur market, the U.S. ranks among the top countries for retail fur sales. Other top countries include Italy, Russia and China.

U.S. fur sales were \$1.5 billion in 2014, a 7.3 per cent increase over 2013. If fur, fur trim and accessories sales through designer and fashion boutiques, ski/sporting goods boutiques, luxury shoe stores, department stores and online retail sites are factored in total fur sales would be substantially higher.

More people buy fur in New York than any other city, followed closely by Chicago. Other top fur markets in order of retail sales are Philadelphia, Los Angeles, Washington D.C./Baltimore, Boston, Detroit, Cleveland, Dallas/Ft. Worth, San Francisco, Milwaukee and Seattle.

With over \$15 billion in retail sales, the fur industry makes a substantial contribution to the U.S. economy. The fur industry in the U.S. provides full-time employment for over 32,000 workers and seasonal or

part-time employment for an additional 155,000+ workers. Over 12,500 workers in fields such as marketing, banking and insurance also owe their livelihood in part to the fur industry.

Endangered species are never used by the fur industry. In fact, the industry is a strong supporter of CITES and all laws protecting endangered species. Only abundant furbearing populations are used today.

From NYS Department of Environmental Conservation on Trapping in NYS: New York State is one of the nation's top producers of wild furs for the commercial fur trade. New York City remains a center for the production and marketing of fur garments. Trapping provides important benefits to New Yorkers including:

- the control of nuisance damage,
- economic benefits to trappers and people involved in the fur industry, and recreation to trappers.

The 14 species of furbearing animals in New York are abundant and their populations are secure. DEC regulates trapping seasons to ensure the continued security of New York's furbearer populations.

Trappers must complete a mandatory trapper education course to obtain a trapping license. There are about 10,000 trappers in New York. This number varies depending on the year and fur market conditions.

LEGISLATIVE HISTORY:

2019 Session - New Bill

FISCAL IMPLICATIONS:

Loss to State of over 1,000 jobs and over \$3.5 billion in sales

EFFECTIVE DATE:

Immediately