



**New York State YMCA**  
**Youth And Government**

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**FOR YOUTH DEVELOPMENT®**  
FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Senate Freedom 3

Bill #:SF-20

1 **Sponsors:** Elizabeth Alzawahra, Aengus Gillespie

2  
3 **An Act To** Amend Article 11, Section 11-1101 of Environmental Conservation Law  
4 and add Article 13, Section 11-1101 of Environmental Conservation Law

5  
6 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

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8 **Purpose** promote more humane and ethical treatment of beavers and remove  
9 beavers from the list of legal trapping.

10  
11 **Summary of Provisions**

12 **Section 1**

13 **Section 2**

14 Section 11-1101

15 3. In waters of the Southern Zone, as so defined, from December 5 through  
16 January 31, no person shall set, place or maintain a trap of any kind except (a)  
17 spring hole trap sets for the purpose of taking fox, or (b) water sets during any  
18 open season established for the taking of muskrat, otter ~~and beaver~~, or (c) traps  
19 set on a registered muskrat marsh pursuant to permit, issued as provided in section  
20 11-1109.

21 6. a. No person shall set or use a trap of the leg-gripping type (a) having a spread  
22 of jaws exceeding 7 1/4" measured at right angles to the axis upon which the jaws  
23 operate and excluding the gripping surface of each jaw, when used under water  
24 during the open season for trapping ~~beaver~~ or otter, or (b) in any other case,  
25 except as provided in title 5 or in section 11-1109, having a spread of jaws  
26 exceeding 5-3/4" as so measured.

27 (a) when used in water during the open season for trapping ~~beaver~~ and otter; or

28 7. Except as provided in section 11-1109, (a) no person shall take muskrat by the  
29 use of a box, wire or cage trap, except that they may be taken in such a trap of a  
30 construction incapable of taking any species of wildlife until wildlife previously taken  
31 therein has been released; (b) except as otherwise permitted by department  
32 regulation, no person shall set, stake or use a trap within a distance of five feet  
33 from a muskrat den or house or any structure constructed by a muskrat in which it  
34 can take shelter; (c) smoke, chemicals, gas or poison shall not be used on or near  
35 any trap used to take ~~beaver~~, otter, fisher, bobcat, coyote, fox, mink, raccoon,  
36 muskrat or skunk.

37 8. Except as permitted by the department, no person shall set, stake or use a trap  
38 within a distance of fifteen feet from a ~~beaver dam~~, den or house.\

39 11. ~~Beaver~~, fisher and otter shall be taken only as permitted by the department.

40  
41 13. The trapping of beavers is strictly prohibited

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44 **Justification**

45 Beavers are a keystone species, meaning that they are essential to the formation  
46 and maintenance of their resident ecosystems. The killing of beavers by trapping is  
47 not only inhumane, it is extremely harmful to the ecosystems in which they reside.  
48 There is no longer any economic necessity for the trapping of beavers. No one  
49 relies on beaver trapping as their primary source of income. This is an outdated law  
50 that needs to have preventions so that history doesn't repeat itself.

51

52 **Fiscal Implications**

53 As necessary identify revenue sources, projected savings and impact on the current  
54 state budget (that is 132 Billion or 132,000,000,000 dollars). Minor implications for  
55 armature trappers. In addition, no one's primary source of income is from trapping.

56

57 **Environmental Implications**

58 The environmental impact of this bill is negligible, as beavers can still be humanely  
59 removed from environments in which they are causing harm, and the ecosystems  
60 which they maintain will no longer be threatened by their death.

61

62 **Effective Date** December 15th 2021 (after the hunting season)