

STATE OF NEW YORK

760

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. EPSTEIN -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law and the state finance law, in relation to banning the use of non-compostable produce stickers

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

Section 1. Article 27 of the environmental conservation law is amended by adding a new title 34 to read as follows:

TITLE 34

PRODUCE STICKERS

Section 27-3401. Non-compostable produce sticker ban.

27-3403. Violations.

§ 27-3401. Non-compostable produce sticker ban.

1. Beginning January first, two thousand twenty-six, no person, firm or corporation shall sell, offer for sale, or distribute any non-compostable produce stickers or any produce with such non-compostable stickers in the state; provided, however, a person, firm or corporation may use its current inventory of non-compostable stickers prior to such date.

2. The department is authorized to promulgate any rules and regulations as it shall deem necessary to implement the provisions of this title.

§ 27-3403. Violations.

1. A person, firm or corporation that violates a provision of this title shall receive a warning notice for the first such violation, detailing the person, firm or corporation's requirement to correct the violation within thirty days from the date the notice is sent. A person, firm or corporation shall be liable to the state for a civil penalty of two hundred fifty dollars for the first violation after receiving a warning and failing to correct the violation within thirty days and five hundred dollars for any subsequent violation in the same calendar year.

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

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1 A hearing or opportunity to be heard shall be provided prior to the
2 assessment of any civil penalty.

3 2. The department is hereby authorized to enforce the provisions of
4 this title and all monies collected shall be deposited to the credit of
5 the environmental protection fund established pursuant to section nine-
6 ty-two-s of the state finance law.

7 § 2. Subdivision 3 of section 92-s of the state finance law, as
8 amended by chapter 734 of the laws of 2021, is amended to read as
9 follows:

10 3. Such fund shall consist of the amount of revenue collected within
11 the state from the amount of revenue, interest and penalties deposited
12 pursuant to section fourteen hundred twenty-one of the tax law, the
13 amount of fees and penalties received from easements or leases pursuant
14 to subdivision fourteen of section seventy-five of the public lands law
15 and the money received as annual service charges pursuant to section
16 four hundred four-n of the vehicle and traffic law, all moneys required
17 to be deposited therein from the contingency reserve fund pursuant to
18 section two hundred ninety-four of chapter fifty-seven of the laws of
19 nineteen hundred ninety-three, all moneys required to be deposited
20 pursuant to section thirteen of chapter six hundred ten of the laws of
21 nineteen hundred ninety-three, repayments of loans made pursuant to
22 section 54-0511 of the environmental conservation law, all moneys to be
23 deposited from the Northville settlement pursuant to section one hundred
24 twenty-four of chapter three hundred nine of the laws of nineteen
25 hundred ninety-six, provided however, that such moneys shall only be
26 used for the cost of the purchase of private lands in the core area of
27 the central Suffolk pine barrens pursuant to a consent order with the
28 Northville industries signed on October thirteenth, nineteen hundred
29 ninety-four and the related resource restoration and replacement plan,
30 the amount of penalties required to be deposited therein by section
31 71-2724 of the environmental conservation law, all moneys required to be
32 deposited pursuant to article thirty-three of the environmental conser-
33 vation law, all fees collected pursuant to subdivision eight of section
34 70-0117 of the environmental conservation law, all moneys collected
35 pursuant to title thirty-three of article fifteen of the environmental
36 conservation law, beginning with the fiscal year commencing on April
37 first, two thousand thirteen, nineteen million dollars, and all fiscal
38 years thereafter, twenty-three million dollars plus all funds received
39 by the state each fiscal year in excess of the greater of the amount
40 received from April first, two thousand twelve through March thirty-
41 first, two thousand thirteen or one hundred twenty-two million two
42 hundred thousand dollars, from the payments collected pursuant to subdi-
43 vision four of section 27-1012 of the environmental conservation law and
44 all funds collected pursuant to section 27-1015 of the environmental
45 conservation law, all moneys required to be deposited pursuant to
46 sections 27-2805 and 27-2807 of the environmental conservation law, all
47 moneys collected pursuant to section 71-2730 of the environmental
48 conservation law, all moneys required to be deposited pursuant to
49 section 27-3205 of the environmental conservation law, all moneys
50 required to be deposited pursuant to section 27-3403 of the environ-
51 mental conservation law, and all other moneys credited or transferred
52 thereto from any other fund or source pursuant to law. All such revenue
53 shall be initially deposited into the environmental protection fund, for
54 application as provided in subdivision five of this section.

55 § 3. This act shall take effect immediately.