

# STATE OF NEW YORK

776--A

2025-2026 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. EPSTEIN -- read once and referred to the Committee on Consumer Affairs and Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to the use of single use plastic garment bags and dry cleaning bags

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

1 Section 1. Subdivision 1 of section 27-2801 of the environmental  
2 conservation law, as added by section 2 of part H of chapter 58 of the  
3 laws of 2019, is amended to read as follows:

4 1. "Exempt bag" means a bag: (a) used solely to contain or wrap  
5 uncooked meat, fish, or poultry; (b) bags used by a customer solely to  
6 package bulk items such as fruits, vegetables, grains, or candy; (c)  
7 bags used solely to contain food sliced or prepared to order; (d) bags  
8 used solely to contain a newspaper for delivery to a subscriber; (e)  
9 bags sold in bulk to a consumer at the point of sale; (f) trash bags;  
10 (g) food storage bags; (h) [~~garment bags, (i)~~] bags prepackaged for sale  
11 to a customer; [~~(j)~~] (i) plastic carryout bags provided by a restaurant,  
12 tavern or similar food service establishment, as defined in the state  
13 sanitary code, to carryout or deliver food; or [~~(k)~~] (j) bags provided  
14 by a pharmacy to carry prescription drugs.

15 § 2. Subdivision 7 of section 27-2701 of the environmental conserva-  
16 tion law, as added by chapter 481 of the laws of 2014, is amended to  
17 read as follows:

18 7. "Film plastic" means uncontaminated non-rigid film plastic packag-  
19 ing products composed of plastic resins, which include, but are not  
20 limited to, newspaper bags[~~, dry cleaning bags~~] and shrink-wrap.

21 § 3. Subdivisions 4 and 5 of section 27-2705 of the environmental  
22 conservation law, subdivision 4 as amended by chapter 481 of the laws of

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

LBD00648-03-5

1 2014 and subdivision 5 as added by chapter 641 of the laws of 2008, are  
2 amended and a new subdivision 6 is added to read as follows:

3 4. the store or its agent to maintain, for a minimum of three years,  
4 records describing the collection, transport and recycling of plastic  
5 carryout bags and film plastic collected by weight, provided however  
6 that stores or its agents may weigh such bags, film plastic and any  
7 other in-store plastic recycling at a regional collection center. Such  
8 records shall be made available to the department upon request, to  
9 demonstrate compliance with this title; [~~and~~]

10 5. the operator of the store to (a) make reusable bags available to  
11 customers within the store for purchase, and (b) permit a reuseable bag  
12 to be used in lieu of a plastic carryout bag or paper bag[~~;~~]; and

13 6. a retail dry cleaning establishment may return clothing to a  
14 customer in a reusable bag provided by such customer or offer for sale.

15 § 4. This act shall take effect on the one hundred eightieth day after  
16 it shall have become a law.