

STATE OF NEW YORK

1492

2025-2026 Regular Sessions

IN SENATE

January 10, 2025

Introduced by Sen. FAHY -- 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 plastic carryout bags provided by restaurants

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; or (j) [~~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)~~] bags provided by a
14 pharmacy to carry prescription drugs.
15 § 2. This act shall take effect immediately.

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

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