S T A T E O F N E W Y O R K

3971

2009-2010 Regular Sessions

I N S E N A T E

April 7, 2009

Introduced by Sen. OPPENHEIMER -- 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 contracts for the collection and transportation of commercial waste

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-zz to read as follows:

S 399-ZZ. CONTRACTS FOR THE COLLECTION AND TRANSPORTATION OF COMMERCIAL WASTE. 1. DEFINITIONS.

A. "COMMERCIAL WASTE" SHALL MEAN WASTE GENERATED BY STORES, OFFICES, INSTITUTIONS, RESTAURANTS, WAREHOUSES, AND NONMANUFACTURING ACTIVITIES AT INDUSTRIAL FACILITIES.

B. "PERSON" SHALL MEAN ANY NATURAL PERSON, FIRM, ORGANIZATION, PARTNERSHIP, ASSOCIATION OR CORPORATION.

C. "SOLID WASTE" SHALL HAVE THE SAME MEANING AS DEFINED IN SECTION 27-0701 OF THE ENVIRONMENTAL CONSERVATION LAW.

2. EVERY WRITTEN CONTRACT FOR THE COLLECTION AND TRANSPORTATION OF COMMERCIAL WASTE FROM A PLACE AT WHICH SUCH WASTE IS GENERATED, SHALL SPECIFY THE RECYCLABLE, REUSABLE OR OTHER COMPONENTS OF SUCH WASTE THAT ARE REQUIRED TO BE SEPARATED IN ACCORDANCE WITH A LOCAL LAW OR ORDINANCE ADOPTED PURSUANT TO SECTION ONE HUNDRED TWENTY-AA OF THE GENERAL MUNICIPAL LAW AND ANY PENALTIES IMPOSED BY SUCH LAW OR ORDINANCE FOR THE FAILURE TO SEPARATE SUCH WASTE.

3. A KNOWING VIOLATION OF THIS SECTION SHALL BE PUNISHABLE BY A CIVIL FINE NOT TO EXCEED ONE THOUSAND DOLLARS.

S 2. This act shall take effect on the thirtieth day after it shall have become a law and shall apply to all contracts executed on or after such date.

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

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