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

1971

2009-2010 Regular Sessions

I N  A S S E M B L Y

January 14, 2009

Introduced by M. of A. ENGLEBRIGHT, COLTON -- Multi-Sponsored by -- M. of A. CLARK, CYMBROWITZ, DINOWITZ, GOTTFRIED, McENENY -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to litter control

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 1 of section 27-1003 of the environmental conservation law, as amended by chapter 778 of the laws of 1988, is amended to read as follows:

1. "Beverage" means carbonated soft drinks, FRUIT JUICES, ICE TEA BEVERAGES, MILK, mineral water, soda water, beer, other malt beverages, WINE, LIQUOR and [a] wine [product] PRODUCTS as defined in subdivision thirty-six-a of section three of the alcoholic beverage control law. "Malt beverages" means any beverage obtained by the alcoholic fermentation or infusion or decoction of barley, malt, hops, or other wholesome grain or cereal and water including, but not limited to ale, stout or malt liquor.

S 2. Subdivision 2 of section 27-1003 of the environmental conservation law, as amended by chapter 546 of the laws of 1986, is amended to read as follows:

2. "Beverage container" means the individual, separate, sealed glass, metal, aluminum, steel or plastic bottle, can or jar used for containing one gallon or 3.8 liters or less at the time of sale of a beverage intended for use or consumption in this state AND WHICH IS REFILLABLE WITH A CAPACITY TO BE REFILLED AND RESOLD NOT LESS THAN TWENTY-FIVE TIMES. Beverage containers sold or distributed aboard aircraft or ships shall be considered as intended for use or consumption outside this state.

S 3. This act shall take effect January 1, 2010.

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

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