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

6144

2009-2010 Regular Sessions

I N A S S E M B L Y

February 26, 2009

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

AN ACT to amend the environmental conservation law, in relation to the reuse of carryout bags

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

Section 1. The section heading, and subdivisions 4 and 5 of section 27-2705 of the environmental conservation law, as added by chapter 641 of the laws of 2008, are amended and two new subdivisions 6 and 7 are added to read as follows:

Recycling AND REUSE program requirements.

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

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

6. THE OPERATOR OF THE STORE TO PAY A MINIMUM OF TWO CENTS FOR EACH PLASTIC CARRYOUT BAG, PAPER BAG OR REUSABLE BAG BROUGHT IN BY THE CUSTOMER FOR REUSE TO CARRY PURCHASED PRODUCTS FROM THE STORE; AND

7. THE OPERATOR OF THE STORE TO PROMINENTLY POST A NOTICE THAT CUSTOMERS WILL BE CREDITED A MINIMUM OF TWO CENTS OR THE AMOUNT THAT THE STORE OPERATOR ALLOWS FOR EACH REUSED BAG.

S 2. This act shall take effect on the first of September next succeeding the date on which it shall have become a law.

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

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