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

S. 3466 A. 7039

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

March 19, 2009

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

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

AN ACT to amend the general business law, in relation to prohibiting the sale of carolina fanwort

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-tt to read as follows:

S 399-TT. SALE OF CAROLINA FANWORT PROHIBITED. 1. FOR PURPOSES OF THIS SECTION, "CAROLINA FANWORT" MEANS A WEEDY OR INVASIVE PLANT AND IS KNOWN SCIENTIFICALLY AS CABOMBA CAROLINIANA GREY.

2. NO PERSON, CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY SHALL KNOWINGLY SELL OR OFFER FOR SALE CAROLINA FANWORT.

3. A VIOLATION OF THE PROVISIONS OF THIS SECTION SHALL BE AN OFFENSE PUNISHABLE BY A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS. A VIOLATION OF THE PROVISIONS OF THIS SECTION AFTER HAVING BEEN PREVIOUSLY CONVICTED OF SUCH AN OFFENSE WITHIN THE PREVIOUS FIVE YEARS SHALL BE PUNISHABLE BY A FINE OF NOT MORE THAN FIVE THOUSAND DOLLARS.

S 2. This act shall take effect immediately.

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

LBD06091-01-9