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

7638--A

Cal. No. 427

2011-2012 Regular Sessions

I N A S S E M B L Y

May 11, 2011

Introduced by M. of A. SWEENEY, LATIMER -- read once and referred to the Committee on Environmental Conservation -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the environmental conservation law, in relation to requiring lawn care companies to provide information to the property owner prior to any commercial lawn application

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

Section 1. Section 33-1001 of the environmental conservation law, as added by chapter 559 of the laws of 1987, is amended to read as follows:
S 33-1001. Requirements and restrictions.
1. Prior to any commercial lawn application the applicator shall enter into a written contract with the owner of the property or his OR HER agent specifying the approximate date or dates of application, number of applications, and total cost for the service to be provided [and].
2. PRIOR TO ANY COMMERCIAL LAWN APPLICATION THE APPLICATOR shall supply the property owner or his OR HER agent with a [written] copy [in at least 12 point type] of:
a. a list of substances to be applied including brand names and generic names of active ingredients;
b. any warnings that appear on the label of pesticides to be applied that are pertinent to the protection of humans, animals or the environment; and
c. the company name, address, telephone number, business registration number and applicator certification identification card number.
SUCH INFORMATION SHALL BE SUPPLIED IN EITHER A WRITTEN, DIGITAL OR ELECTRONIC FORMAT WHICH SHALL BE DETERMINED BY THE OWNER OR HIS OR HER AGENT PROVIDED HOWEVER THAT THE APPLICATOR MUST ALSO HAVE A WRITTEN COPY OF SUCH INFORMATION IN HIS OR HER POSSESSION.

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

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[2] 3. In the event that application on the date or dates specified becomes infeasible, the person who is to provide such application shall give the owner or his agent oral or written notice of the proposed alternate date or dates, and shall receive acceptance of such alternate date or dates from the owner or his agent prior to initiating commercial lawn application.

[3] 4. Persons providing commercial lawn applications shall maintain copies of all contracts required pursuant to subdivision one of this section.

S 2. This act shall take effect on the sixtieth day after it shall have become a law.