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

2147

2011-2012 Regular Sessions

I N A S S E M B L Y

January 14, 2011

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

AN ACT to amend the environmental conservation law, in relation to developing a cigarette butts recycling program

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

Section 1. Section 27-1019 of the environmental conservation law is renumbered section 27-1021 and a new section 27-1019 is added to read as follows:

S 27-1019. CIGARETTE BUTT RECYCLING AND WASTE CONTROL.

1. THE COMMISSIONER, IN CONSULTATION WITH THE COMMISSIONER OF HEALTH SHALL DEVELOP AND IMPLEMENT A PROGRAM FOR THE COLLECTION AND RECYCLING OF CIGARETTE BUTTS.

2. SUCH PROGRAM SHALL INCLUDE BUT NOT BE LIMITED TO:

A. ESTABLISHING A STATEWIDE SYSTEM AND REDEMPTION FACILITIES FOR THE COLLECTION OF USED CIGARETTE BUTTS VIA AUTOMATED OR NON-AUTOMATED RECYCLING EQUIPMENT TO BE SITUATED LOCALLY, BUT NOT LESS THAN ONE FACILITY PER COUNTY;

B. ESTABLISHING A DEPOSIT AND REFUND VALUE FOR INDIVIDUAL CIGARETTE BUTTS RETURNED TO COLLECTION FACILITIES OF NOT LESS THAN ONE CENT PER CIGARETTE BUTT RETURNED AND ESTABLISH A FISCAL PLAN ALLOCATING HOW DEPOSIT FUNDS ARE COLLECTED AND REFUNDED; AND

C. ESTABLISHING A PUBLIC EDUCATION AND MARKETING CAMPAIGN TO EDUCATE INDIVIDUALS AS TO THE HARM CIGARETTE BUTTS CAUSE TO THE ENVIRONMENT AND WORKING WITH CIGARETTE MANUFACTURERS TO IMPLEMENT ANTI-LITTER MESSAGES ON THEIR PACKAGING.

3. THE COMMISSIONER SHALL HAVE THE AUTHORITY TO PROMULGATE ANY RULES AND REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THIS PROGRAM.

4. FOR THE PURPOSES OF THIS SECTION "CIGARETTE BUTT" OR "USED CIGARETTE BUTT" SHALL MEAN ANY CIGARETTE, CIGAR, OR TOBACCO PRODUCT WITH A FILTER OR BUTT THAT IS NOT SMOKED AND HAS THE POSSIBILITY OF BECOMING A WASTE PRODUCT.

S 2. This act shall take effect immediately.

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

LBD05066-01-1