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

7400--A

Cal. No. 245

2011-2012 Regular Sessions

I N A S S E M B L Y

May 3, 2011

Introduced by M. of A. SWEENEY, SILVER, FARRELL, LIFTON, JAFFEE, ZEBROWSKI, COLTON, ABINANTI, WEISENBERG, BRENNAN, GOTTFRIED, KELLNER, P. RIVERA, ENGLEBRIGHT, DINOWITZ, MARKEY, PAULIN, MILLMAN, JACOBS, COOK, M. MILLER, ROSENTHAL, ROBINSON, CASTELLI, GALEF, KAVANAGH, O'DONNELL, CAHILL, BRAUNSTEIN, SCARBOROUGH, CYMBROWITZ, PEOPLES-STOKES, MOYA, SIMOTAS, CLARK, PERRY -- Multi-Sponsored by -- M. of A. AUBRY, DenDEKKER, GIBSON, GLICK, LATIMER, LAVINE, MAGEE, MAISEL, McENENY, SCHIMEL, THIELE, TITONE, WEINSTEIN -- read once and referred to the Committee on Environmental Conservation -- advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to suspend hydraulic fracturing; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. There is hereby established a suspension of the issuance of new permits for the drilling of a well which utilizes the practice of hydraulic fracturing for the purpose of stimulating natural gas or oil in low permeability natural gas reservoirs, such as the Marcellus and Utica shale formations.

The purpose of such suspension shall be to afford the state and its residents the opportunity to continue the review and analysis of the effects of hydraulic fracturing on water and air quality, environmental safety and public health.

For the purposes of this section, "hydraulic fracturing" shall mean the fracturing of rock by fluid for the purpose of stimulating natural gas or oil for any purpose.

This section shall not apply to permits issued prior to the effective date of this act which utilize hydraulic fracturing that are subject to renewal.

S 2. This act shall take effect immediately, and shall expire and be deemed repealed June 1, 2013.

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

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