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1535

2011-2012 Regular Sessions

I N   S E N A T E

January 10, 2011
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Introduced by Sen. STAVISKY -- read twice and ordered printed, and when
printed to be committed 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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1   Section 1. Section 27-1019 of the environmental conservation law is
2 renumbered section 27-1021 and a new section 27-1019 is added to read as
3 follows:
4 S 27-1019. CIGARETTE BUTT RECYCLING AND WASTE CONTROL.
5   1. THE COMMISSIONER, IN CONSULTATION WITH THE COMMISSIONER OF HEALTH
6 SHALL DEVELOP AND IMPLEMENT A PROGRAM FOR THE COLLECTION AND RECYCLING
7 OF CIGARETTE BUTTS.
8   2. SUCH PROGRAM SHALL INCLUDE BUT NOT BE LIMITED TO:
9   A. ESTABLISHING A STATEWIDE SYSTEM AND REDEMPTION FACILITIES FOR THE
10 COLLECTION OF USED CIGARETTE BUTTS VIA AUTOMATED OR NON-AUTOMATED RECY-
11 CLING EQUIPMENT TO BE SITUATED LOCALLY, BUT NOT LESS THAN ONE FACILITY
12 PER COUNTY;
13   B. ESTABLISHING A DEPOSIT AND REFUND VALUE FOR INDIVIDUAL CIGARETTE
14 BUTTS RETURNED TO COLLECTION FACILITIES OF NOT LESS THAN ONE CENT PER
15 CIGARETTE BUTT RETURNED AND ESTABLISH A FISCAL PLAN ALLOCATING HOW
16 DEPOSIT FUNDS ARE COLLECTED AND REFUNDED; AND
17   C. ESTABLISHING A PUBLIC EDUCATION AND MARKETING CAMPAIGN TO EDUCATE
18 INDIVIDUALS AS TO THE HARM CIGARETTE BUTTS CAUSE TO THE ENVIRONMENT AND
19 WORKING WITH CIGARETTE MANUFACTURERS TO IMPLEMENT ANTI-LITTER MESSAGES
20 ON THEIR PACKAGING.
21   3. THE COMMISSIONER SHALL HAVE THE AUTHORITY TO PROMULGATE ANY RULES
22 AND REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THIS PROGRAM.
23   4. FOR THE PURPOSES OF THIS SECTION "CIGARETTE BUTT" OR "USED CIGA-
24 RETTE BUTT" SHALL MEAN ANY CIGARETTE, CIGAR, OR TOBACCO PRODUCT WITH A
25 FILTER OR BUTT THAT IS NOT SMOKED AND HAS THE POSSIBILITY OF BECOMING A
26 WASTE PRODUCT.
27   S 2. This act shall take effect immediately.

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

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