

2433

2011-2012 Regular Sessions

I N S E N A T E

January 20, 2011

Introduced by Sens. OPPENHEIMER, DIAZ -- read twice and ordered printed,  
and when printed to be committed to the Committee on Consumer  
Protection

AN ACT to amend the general business law, in relation to contracts for  
the collection and transportation of commercial waste

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

- 1 Section 1. The general business law is amended by adding a new section  
2 399-ff to read as follows:  
3 S 399-FF. CONTRACTS FOR THE COLLECTION AND TRANSPORTATION OF COMMER-  
4 CIAL WASTE. 1. DEFINITIONS.  
5 A. "COMMERCIAL WASTE" SHALL MEAN WASTE GENERATED BY STORES, OFFICES,  
6 INSTITUTIONS, RESTAURANTS, WAREHOUSES, AND NONMANUFACTURING ACTIVITIES  
7 AT INDUSTRIAL FACILITIES.  
8 B. "PERSON" SHALL MEAN ANY NATURAL PERSON, FIRM, ORGANIZATION, PART-  
9 NERSHIP, ASSOCIATION OR CORPORATION.  
10 C. "SOLID WASTE" SHALL HAVE THE SAME MEANING AS DEFINED IN SECTION  
11 27-0701 OF THE ENVIRONMENTAL CONSERVATION LAW.  
12 2. EVERY WRITTEN CONTRACT FOR THE COLLECTION AND TRANSPORTATION OF  
13 COMMERCIAL WASTE FROM A PLACE AT WHICH SUCH WASTE IS GENERATED, SHALL  
14 SPECIFY THE RECYCLABLE, REUSABLE OR OTHER COMPONENTS OF SUCH WASTE THAT  
15 ARE REQUIRED TO BE SEPARATED IN ACCORDANCE WITH A LOCAL LAW OR ORDINANCE  
16 ADOPTED PURSUANT TO SECTION ONE HUNDRED TWENTY-AA OF THE GENERAL MUNICI-  
17 PAL LAW AND ANY PENALTIES IMPOSED BY SUCH LAW OR ORDINANCE FOR THE FAIL-  
18 URE TO SEPARATE SUCH WASTE.  
19 3. A KNOWING VIOLATION OF THIS SECTION SHALL BE PUNISHABLE BY A CIVIL  
20 FINE NOT TO EXCEED ONE THOUSAND DOLLARS.  
21 S 2. This act shall take effect on the thirtieth day after it shall  
22 have become a law and shall apply to all contracts executed on or after  
23 such date.

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

LBD05924-01-1