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

4709--A

Cal. No. 817

2013-2014 Regular Sessions

I N S E N A T E

April 18, 2013

Introduced by Sens. MARCELLINO, AVELLA, GRISANTI -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the environmental conservation law, in relation to prohibiting the sale of thermal receipt paper containing bisphenol A and reserving jurisdiction in matters pertaining to such paper for the state

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

Section 1. The environmental conservation law is amended by adding a new section 37-0513 to read as follows:

S 37-0513. THERMAL RECEIPT PAPER.

1. FOR THE PURPOSES OF THIS SECTION, "THERMAL RECEIPT PAPER" OR "CASH REGISTER RECEIPT PAPER" MEANS ANY PAPER THAT IS USED BY A COMMERCIAL ENTITY TO ISSUE A MECHANICALLY PRODUCED RECORD OF A COMMERCIAL TRANSACTION.

2. ON AND AFTER OCTOBER 1, 2015 NO PERSON SHALL MANUFACTURE, SELL, OFFER FOR SALE OR DISTRIBUTE ANY THERMAL RECEIPT PAPER OR CASH REGISTER RECEIPT PAPER THAT CONTAINS BISPHENOL A.

3. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION TWO OF THIS SECTION, IF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY DOES NOT IDENTIFY A SAFE, COMMERCIALLY AVAILABLE ALTERNATIVE TO THE USE OF BISPHENOL A IN THERMAL RECEIPT PAPER OR CASH REGISTER RECEIPT PAPER ON OR BEFORE JUNE 30, 2015, NO PERSON SHALL MANUFACTURE, SELL, OFFER FOR SALE OR DISTRIBUTE ANY THERMAL RECEIPT PAPER OR CASH REGISTER RECEIPT PAPER THAT CONTAINS BISPHENOL A ON AND AFTER JULY 1, 2017.

4. JURISDICTION IN ALL MATTERS PERTAINING TO RECEIPT PAPER CONTAINING BISPHENOL A IS HEREBY VESTED EXCLUSIVELY IN THE STATE. ANY PROVISION OF

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

LBD10460-02-3

ANY LOCAL LAW OR ORDINANCE, OR ANY RULE OR REGULATION PROMULGATED THERETO, GOVERNING RECEIPT PAPER CONTAINING BISPHENOL A SHALL, UPON THE EFFECTIVE DATE OF THIS SECTION, BE PREEMPTED.

S 2. This act shall take effect immediately.