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

5704

2015-2016 Regular Sessions

I N A S S E M B L Y

March 3, 2015

Introduced by M. of A. SCHIMEL, HOOPER, COOK, JAFFEE -- Multi-Sponsored by -- M. of A. COLTON, GLICK, GOTTFRIED -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to recycling program requirements; requires store operators to post signs regarding reusable bags

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

Section 1. Subdivisions 4 and 5 of section 27-2705 of the environmental conservation law, as added by chapter 641 of the laws of 2008, are amended and a new subdivision 6 is added to read as follows:

4. the store or its agent to maintain, for a minimum of three years, records describing the collection, transport and recycling of plastic carryout bags collected by weight, provided however that stores or its agents may weigh such bags and any other in-store plastic recycling at a regional collection center. Such records shall be made available to the department upon request, to demonstrate compliance with this title; [and]

5. the operator of the store to (a) make reusable bags available to customers within the store for purchase, and (b) permit a [reuseable] REUSABLE bag to be used in lieu of a plastic carryout bag or paper bag[.]; AND

6. THE CONSPICUOUS POSTING OF SIGNS, NO SMALLER THAN FOUR SQUARE FEET, THAT HAVE PRINTED OR DISPLAYED ON THE SIGN THE WORDS "DON'T FORGET YOUR REUSABLE TOTE BAG". THE OPERATOR OF THE STORE IS RESPONSIBLE FOR POSTING AT LEAST ONE SUCH SIGN AT EACH ENTRANCE OF THE STORE OPEN TO THE PUBLIC. THE OWNER OF ANY PARKING AREAS, AS DEFINED BY SECTION ONE HUNDRED TWENTY-NINE-A OF THE VEHICLE AND TRAFFIC LAW, OR PARKING LOTS, AS DEFINED BY SECTION ONE HUNDRED TWENTY-NINE-B OF THE VEHICLE AND TRAFFIC LAW, THAT ARE PROVIDED IN CONNECTION WITH THE PREMISES OF THE STORE, SHALL BE RESPONSIBLE FOR POSTING SUCH SIGNS THROUGHOUT THE PARKING AREA

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

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OR PARKING LOT OF THE STORE. IN THE CASE OF A STORE WITH A PARKING AREA OR PARKING LOT OF TEN THOUSAND SQUARE FEET OR LESS, NO FEWER THAN FIVE SIGNS SHALL BE POSTED. IN THE CASE OF A STORE WITH A PARKING AREA OR PARKING LOT GREATER THAN TEN THOUSAND SQUARE FEET, NO FEWER THAN SIX SIGNS SHALL BE POSTED, AND ONE ADDITIONAL SIGN SHALL BE POSTED FOR EVERY ADDITIONAL ONE THOUSAND SQUARE FEET. THIS SUBDIVISION SHALL APPLY TO STORES WITHOUT REGARD AS TO WHETHER THE STORE IS WITHIN AN ENCLOSED SHOPPING MALL.

S 2. Subdivision 4 of section 27-2705 of the environmental conservation law, as amended by chapter 481 of the laws of 2014, is amended to read as follows:

4. the store or its agent to maintain, for a minimum of three years, records describing the collection, transport and recycling of plastic carryout bags and film plastic collected by weight, provided however that stores or its agents may weigh such bags, film plastic and any other in-store plastic recycling at a regional collection center. Such records shall be made available to the department upon request, to demonstrate compliance with this title; [and]

S 3. This act shall take effect immediately; provided, however, that the amendments to subdivision 4 of section 27-2705 of the environmental conservation law made by section two of this act shall take effect on the same date and in the same manner as section 3 of chapter 481 of the laws of 2014 takes effect.