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

5409--A

2015-2016 Regular Sessions

I N S E N A T E

May 14, 2015

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- recommitted to the Committee on Finance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the state finance law, in relation to the purchase of green cleaning and other custodial products

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

Section 1. Short title. This law shall be known and may be cited as the "Greening Our Cleaning Act".

S 2. Statement of findings and purpose. The legislature finds that there are environmentally preferable alternatives to the products that we commonly use for routine tasks, such as cleaning and maintaining interior building finishes. Such alternatives are most beneficial to those who apply them and those who occupy buildings where such products are used. In addition to the federal government, a number of state and local jurisdictions have taken steps to purchase environmentally preferable or "green" cleaning products.

The legislature finds that the purchase and use of many such environmentally preferable cleaning alternatives will result in improved indoor air quality and enhanced environmental health.

S 3. The state finance law is amended by adding a new section 169 to read as follows:

S 169. GREEN CLEANING PRODUCTS. 1. GENERAL DEFINITIONS. AS USED IN THIS SECTION:

(A) "AIR FRESHENER" MEANS ANY PRODUCT INCLUDING, BUT NOT LIMITED TO, SPRAYS, WICKS, POWDERS, BLOCKS, GELS AND CRYSTALS, DESIGNED FOR THE PURPOSE OF MASKING ODORS, OR FRESHENING, CLEANING, SCENTING OR DEODORIZING THE AIR. THIS TERM SHALL NOT INCLUDE PRODUCTS THAT ARE USED ON THE HUMAN BODY, PRODUCTS THAT FUNCTION PRIMARILY AS CLEANING PRODUCTS OR

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

LBD10927-03-6

DISINFECTANT PRODUCTS CLAIMING TO DEODORIZE BY KILLING GERMS ON SURFACES.

(B) "BATHROOM CLEANER" MEANS ANY PRODUCT USED TO CLEAN HARD SURFACES IN A BATHROOM, SUCH AS COUNTERS, WALLS, FLOORS, FIXTURES, BASINS, TUBS AND TILE. THIS TERM MAY INCLUDE PRODUCTS THAT ARE REQUIRED TO BE REGISTERED UNDER THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT, SUCH AS DISINFECTANTS AND SANITIZERS, BUT SHALL NOT INCLUDE PRODUCTS SPECIFICALLY INTENDED TO CLEAN TOILET BOWLS.

(C) "CARPET CLEANER" MEANS ANY PRODUCT USED FOR THE ROUTINE CLEANING OF CARPETS AND RUGS. THIS TERM SHALL INCLUDE, BUT NOT BE LIMITED TO, PRODUCTS USED IN CLEANING BY MEANS OF EXTRACTION, SHAMPOOING, DRY FOAM, BONNET OR ABSORBENT COMPOUND, BUT SHALL NOT INCLUDE PRODUCTS INTENDED PRIMARILY FOR SPOT REMOVAL OR ANY PRODUCTS REQUIRED TO BE REGISTERED UNDER THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT, SUCH AS THOSE MAKING CLAIMS AS STERILIZERS, DISINFECTANTS OR SANITIZERS.

(D) "DEGREASER" MEANS ANY PRODUCT DESIGNED TO REMOVE OR DISSOLVE GREASE, GRIME, OIL AND OTHER OIL-BASED CONTAMINANTS FROM INTERIOR OR EXTERIOR BUILDING SURFACES.

(E) "DISINFECTANT" MEANS ANY UNITED STATES ENVIRONMENTAL PROTECTION AGENCY-REGISTERED AGENT THAT IS USED TO DESTROY OR IRREVERSIBLY INACTIVATE INFECTIOUS FUNGI, VIRUSES AND BACTERIA, BUT NOT NECESSARILY THEIR SPORES.

(F) "FLOOR FINISH" MEANS ANY PRODUCT DESIGNED TO POLISH, PROTECT OR ENHANCE FLOOR SURFACES BY LEAVING A PROTECTIVE WAX, POLYMER OR RESIN COATING THAT IS DESIGNED TO BE PERIODICALLY REMOVED AND REAPPLIED.

(G) "FLOOR STRIPPER" MEANS ANY PRODUCT DESIGNED TO REMOVE FLOOR FINISH THROUGH BREAKDOWN OF THE FINISH POLYMERS, OR BY DISSOLVING OR EMULSIFYING THE FINISH, POLISH OR WAX. THIS TERM SHALL NOT INCLUDE GENERAL-PURPOSE CLEANERS THAT CAN BE USED TO CLEAN FLOORS, FLOOR SEALERS, SPRAY BUFFING PRODUCTS OR PRODUCTS OR EQUIPMENT DESIGNED TO REMOVE FLOOR WAX SOLELY THROUGH ABRASION.

(H) "GENERAL-PURPOSE CLEANER" MEANS ANY PRODUCT USED FOR ROUTINE CLEANING OF HARD SURFACES, INCLUDING IMPERVIOUS FLOORING, SUCH AS CONCRETE OR TILE. THIS TERM SHALL NOT INCLUDE ANY CLEANER INTENDED PRIMARILY FOR THE REMOVAL OF RUST, MINERAL DEPOSITS OR ODORS; ANY PRODUCT INTENDED PRIMARILY TO STRIP, POLISH OR WAX FLOORS; ANY CLEANER INTENDED PRIMARILY FOR CLEANING TOILET BOWLS, DISHES, LAUNDRY, GLASS, CARPETS, UPHOLSTERY, WOOD OR POLISHED SURFACES; OR ANY PRODUCT REQUIRED TO BE REGISTERED UNDER THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT, SUCH AS THOSE MAKING CLAIMS AS STERILIZERS, DISINFECTANTS OR SANITIZERS.

(I) "GLASS CLEANER" MEANS ANY PRODUCT USED TO CLEAN WINDOWS, GLASS AND POLISHED SURFACES. THIS TERM SHALL NOT INCLUDE ANY PRODUCT REQUIRED TO BE REGISTERED UNDER THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT, SUCH AS THOSE MAKING CLAIMS AS STERILIZERS, DISINFECTANTS OR SANITIZERS.

(J) "METAL CLEANER" MEANS ANY PRODUCT DESIGNED PRIMARILY TO IMPROVE, BY PHYSICAL OR CHEMICAL ACTION, THE APPEARANCE OF FINISHED METAL, METALLIC, OR METALLIZED FURNITURE OR INTERIOR OR EXTERIOR BUILDING SURFACES, INCLUDING, BUT NOT LIMITED TO FITTINGS AND DECORATIVE ORNAMENTATION. THIS TERM SHALL NOT INCLUDE ANY PRODUCT DESIGNED PRIMARILY TO REMOVE GREASE, GRIME AND OIL.

(K) "SANITIZER" MEANS ANY UNITED STATES ENVIRONMENTAL PROTECTION AGENCY-REGISTERED AGENT THAT IS USED TO REDUCE, BUT NOT NECESSARILY ELIMINATE MICROORGANISMS TO LEVELS CONSIDERED SAFE BY PUBLIC HEALTH CODES OR REGULATIONS.

2. BEGINNING APRIL FIRST, TWO THOUSAND SEVENTEEN, ALL STATE AGENCIES AND AUTHORITIES SHALL PURCHASE AND USE IN STATE OWNED AND OCCUPIED BUILDINGS AND FACILITIES ONLY AIR FRESHENER, BATHROOM CLEANER, CARPET CLEANER, DEGREASER, DISINFECTANT, FLOOR FINISH, FLOOR STRIPPER, GENERAL-PURPOSE CLEANER, GLASS CLEANER, METAL CLEANER, AND SANITIZER THAT ARE INCLUDED ON THE LIST OF ENVIRONMENTALLY-SENSITIVE CLEANING AND MAINTENANCE PRODUCTS AS PRESCRIBED BY THE COMMISSIONER OF THE OFFICE OF GENERAL SERVICES LIST PURSUANT TO SECTION ONE HUNDRED SIXTY-THREE-B OF THIS ARTICLE.

S 4. This act shall take effect April 1, 2017.