

3870

2017-2018 Regular Sessions

I N S E N A T E

January 27, 2017

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

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:

1 Section 1. Short title. This law shall be known and may be cited as
2 the "greening our cleaning act".

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

11 The legislature finds that the purchase and use of many such environ-
12 mentally preferable cleaning alternatives will result in improved indoor
13 air quality and enhanced environmental health.

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

16 § 169. GREEN CLEANING PRODUCTS. 1. GENERAL DEFINITIONS. AS USED IN
17 THIS SECTION:

18 (A) "AIR FRESHENER" MEANS ANY PRODUCT INCLUDING, BUT NOT LIMITED TO,
19 SPRAYS, WICKS, POWDERS, BLOCKS, GELS AND CRYSTALS, DESIGNED FOR THE
20 PURPOSE OF MASKING ODORS, OR FRESHENING, CLEANING, SCENTING OR DEODORIZ-
21 ING THE AIR. THIS TERM SHALL NOT INCLUDE PRODUCTS THAT ARE USED ON THE
22 HUMAN BODY, PRODUCTS THAT FUNCTION PRIMARILY AS CLEANING PRODUCTS OR
23 DISINFECTANT PRODUCTS CLAIMING TO DEODORIZE BY KILLING GERMS ON
24 SURFACES.

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

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

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

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

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

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

24 (G) "FLOOR STRIPPER" MEANS ANY PRODUCT DESIGNED TO REMOVE FLOOR FINISH
25 THROUGH BREAKDOWN OF THE FINISH POLYMERS, OR BY DISSOLVING OR EMULSIFY-
26 ING THE FINISH, POLISH OR WAX. THIS TERM SHALL NOT INCLUDE GENERAL-PUR-
27 POSE CLEANERS THAT CAN BE USED TO CLEAN FLOORS, FLOOR SEALERS, SPRAY
28 BUFFING PRODUCTS OR PRODUCTS OR EQUIPMENT DESIGNED TO REMOVE FLOOR WAX
29 SOLELY THROUGH ABRASION.

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

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

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

51 (K) "SANITIZER" MEANS ANY UNITED STATES ENVIRONMENTAL PROTECTION AGEN-
52 CY-REGISTERED AGENT THAT IS USED TO REDUCE, BUT NOT NECESSARILY ELIMI-
53 NATE MICROORGANISMS TO LEVELS CONSIDERED SAFE BY PUBLIC HEALTH CODES OR
54 REGULATIONS.

55 2. BEGINNING APRIL FIRST, TWO THOUSAND EIGHTEEN, ALL STATE AGENCIES
56 AND AUTHORITIES SHALL PURCHASE AND USE IN STATE OWNED AND OCCUPIED

1 BUILDINGS AND FACILITIES ONLY AIR FRESHENER, BATHROOM CLEANER, CARPET
2 CLEANER, DEGREASE, DISINFECTANT, FLOOR FINISH, FLOOR STRIPPER, GENERAL-
3 PURPOSE CLEANER, GLASS CLEANER, METAL CLEANER, AND SANITIZER THAT ARE
4 INCLUDED ON THE LIST OF ENVIRONMENTALLY-SENSITIVE CLEANING AND MAINTENANCE
5 PRODUCTS AS PRESCRIBED BY THE COMMISSIONER OF THE OFFICE OF GENERAL
6 SERVICES LIST PURSUANT TO SECTION ONE HUNDRED SIXTY-THREE-B OF THIS
7 ARTICLE.

8 § 4. This act shall take effect April 1, 2018.