STATE OF NEW YORK

4996

2017-2018 Regular Sessions

IN SENATE

March 3, 2017

Introduced by Sen. ALCANTARA -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT establishing a commission to eliminate the use of plastic bags and styrofoam by retailers and eating establishments in the state of New York; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Commission for plastic bag and styrofoam elimination. 1. Establishment. A commission is hereby established to provide a method to eliminate the use of plastic bags and styrofoam by retailers and eating establishments in the state of New York by 2020.

2. Definitions. For purposes of this act, the following terms shall have the following meanings:

a. "Retailer" shall mean a person or business that sells goods to the public for use or consumption in the state of New York;

b. "Eating establishment" shall mean any public place where food and drink is served for a fee in the state of New York; and

c. "Styrofoam" shall mean any food or drink holder including but not limited to plates, bowls, cups and to-go containers made from polystyrene.

3. Membership. Such commission shall consist of seven individuals, which shall be appointed as follows:

a. three members shall be appointed by the governor;

b. two members shall be appointed by the senate majority leader; and

c. two members shall be appointed by the assembly majority leader.

4. Reports. a. Six months after the establishment of the commission, an initial report shall be provided to the governor and the legislature with recommendations on elimination methods and replacement procedures, including a cost analysis of such methods and procedures.

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

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b. One year after such initial report, a final report shall be provided to the governor and the legislature with an implementation procedure for eliminating the use of all plastic bags and styrofoam by 2020.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed 3 years after such date.