

STATE OF NEW YORK

1457

2019-2020 Regular Sessions

IN ASSEMBLY

January 15, 2019

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the
Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to
notification of the release of hazardous substances

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

1 Section 1. The environmental conservation law is amended by adding a
2 new section 71-3705 to read as follows:

3 § 71-3705. Failure to report release of hazardous substances.

4 Any person who violates any of the provisions of, or who fails to
5 perform any duty imposed by section 37-0107 of this chapter, and who
6 fails to notify the department of a release of a reportable quantity of
7 a hazardous substance that is hazardous or acutely hazardous to public
8 health, safety or the environment shall be guilty of failure to report
9 release of a hazardous substance. Failure to report release of a hazard-
10 ous substance shall be a class A misdemeanor; provided, however, that if
11 a defendant has previously been convicted of a violation of this
12 section, such subsequent violation shall be a class E felony.

13 § 2. This act shall take effect on the first of December next succeed-
14 ing the date on which it shall have become a law.

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

LBD02578-01-9