STATE OF NEW YORK

8965

IN ASSEMBLY

January 6, 2020

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

AN ACT to amend the environmental conservation law, in relation to the reduction of mercury in mercury-added lamps

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

Section 1. Subdivisions 1 and 2 of section 71-2724 of the environmental conservation law, as amended by a chapter of the laws of 2019, amending the environmental conservation law relating to the reduction of mercury in mercury-added lamps, as proposed in legislative bills numbers S. 2139-B and A. 2501-A, are amended to read as follows:

1. Any person who knowingly or intentionally violates any provision of or fails to perform any duty pursuant to title twenty-one of article twenty-seven of this chapter, except subdivision one of section 27-2105 [~~and subdivision eleven of section 27-2107~~] of this chapter, shall upon the first finding of such a violation be liable for a civil penalty not to exceed one hundred dollars. Any person convicted of a second or subsequent violation shall be liable for a civil penalty not to exceed five hundred dollars for each violation.

2. Any person who knowingly or intentionally violates or fails to perform any duty imposed by subdivision one of section 27-2105 [~~or subdivision eleven of section 27-2107~~] of this chapter shall upon the first finding of such a violation be provided with educational materials describing the requirements for mercury disposal and the effects of improper mercury disposal, and be warned that future violations shall result in the imposition of a fine. Any person convicted of a second violation shall be liable for a civil penalty not to exceed fifty dollars. Any person convicted of a third violation shall be liable for a civil penalty not to exceed seventy-five dollars. Any person convicted of a fourth or subsequent violation shall be liable for a civil penalty not to exceed one hundred dollars for each violation.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the environmental conservation law relating to the reduction of mercury in mercury-added

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

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lamps, as proposed in legislative bills numbers S. 2139-B and A. 2501-A, takes effect.