STATE OF NEW YORK

6651

2019-2020 Regular Sessions

IN SENATE

August 16, 2019

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

AN ACT to amend the environmental conservation law, in relation to prohibiting waterless fracking

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

Section 1. The environmental conservation law is amended by adding a new section 23-0505 to read as follows:

§ 23-0505. Prohibition on waterless fracking.

1. For purposes of this section, the following terms shall have the following meanings:

a. "hydraulic fracturing" shall mean a process used to create fractures that extend from a borehole into rock formations to increase or restore the rate at which oil or gas may be produced from a well; and

b. "waterless fracking" shall mean hydraulic fracturing without the use of water.

2. Notwithstanding any other prohibition on hydraulic fracturing made by executive order, by any other provision of law or by any other manner, on and after the effective date of this section, no person granted a well permit pursuant to section 23-0501 of this title shall perform any method of waterless fracking.

3. No provision of this section shall be construed to nullify, limit, diminish, alter, modify or affect in any way any prohibition on hydraulic fracturing made by executive order, by any other provision of law or by any other manner.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law.

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

LBD13641-01-9