

# STATE OF NEW YORK

5676

2019-2020 Regular Sessions

## IN ASSEMBLY

February 14, 2019

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

AN ACT to amend the agriculture and markets law, in relation to agricultural assessments of land applied with sludge

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

1 Section 1. Subdivision 1 of section 305 of the agriculture and markets  
2 law is amended by adding a new paragraph g to read as follows:

3 g. (i) Notwithstanding any other provision of law, if sewage sludge or  
4 other sludge or any product made from sewage sludge or other sludge, is  
5 applied upon land, such application shall render the land upon which  
6 such application occurred ineligible for an agricultural assessment  
7 pursuant to this section or section three hundred six of this article  
8 beginning with the assessment roll prepared on the basis of the first  
9 taxable status date occurring on or after such application. If the land  
10 upon which such application has occurred constitutes only a portion of a  
11 parcel described on the assessment roll, the assessor shall apportion  
12 the assessment, and adjust the agricultural assessment attributable to  
13 the portion of the parcel not subject to the application by subtracting  
14 the proportionate part of the agricultural assessment attributable to  
15 the portion upon which application has occurred. No land shall be  
16 rendered ineligible for an agricultural assessment as a result of any  
17 application of sewage sludge or other sludge or any product made from  
18 sewage sludge or other sludge made at any time upon such land, provided  
19 that one or more of such applications occurred before the effective date  
20 of this paragraph.

21 (ii) For purposes of this paragraph, the following terms shall have  
22 the following meanings:

23 (a) "sludge" means any solid, semi-solid or liquid waste generated  
24 from a wastewater treatment plant, water supply treatment plant or air  
25 pollution control facility, but shall not include the treated effluent

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

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1 from a wastewater treatment plant or the food processing wastes gener-  
2 ated from a food processing establishment licensed pursuant to the  
3 provisions of article twenty-C of this chapter; and

4 (b) "sewage sludge" means the accumulated semi-solids or solids  
5 resulting from treatment of wastewaters from publicly or privately owned  
6 or operated sewage treatment plants.

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