

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 Assem-
bly, do enact as follows:

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

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

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

26 § 2. This act shall take effect on the same date and in the same
27 manner as a chapter of the laws of 2019, amending the environmental
28 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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1 lamps, as proposed in legislative bills numbers S. 2139-B and A.
2 2501-A, takes effect.