

# STATE OF NEW YORK

891

2019-2020 Regular Sessions

## IN SENATE

January 9, 2019

Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law and the state finance law, in relation to manufacturer liability for the cost of collection, handling, and recycling and reuse of electronic waste, and compensation by the state to electronic waste collection sites, consolidation facilities and recycling facilities for those costs not paid by a manufacturer

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

1 Section 1. The opening paragraph of subdivision 8 of section 27-2605  
2 of the environmental conservation law is designated paragraph (a) and a  
3 new paragraph (b) is added to read as follows:

4 (b) Any electronic waste collection site, electronic waste consol-  
5 idation facility, electronic waste recycling facility or county which  
6 collects, handles, and/or recycles or reuses any item of covered elec-  
7 tronic equipment may submit an application to the commissioner, in such  
8 form and containing such information as the commissioner may require,  
9 for state assistance payments toward the cost of collecting, handling,  
10 and/or recycling or reuse of covered electronic equipment incurred with-  
11 in the state when such covered electronic equipment was not collected,  
12 handled and/or recycled or reused pursuant to section 27-2603 of this  
13 title. The commissioner shall review such application and shall approve  
14 such application for the actual cost of collecting, handling, and/or  
15 recycling or reuse of covered electronic equipment incurred within the  
16 state. Compensation pursuant to this paragraph shall be paid within  
17 thirty days of receipt of an application therefor submitted to the  
18 department, in such form and having such content as shall be determined  
19 by the commissioner in rules and regulations.

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

LBD04035-01-9

1 § 2. Paragraph (b) of subdivision 6 of section 92-s of the state  
2 finance law, as amended by section 3 of part U of chapter 58 of the laws  
3 of 2016, is amended to read as follows:

4 (b) Moneys from the solid waste account shall be available, pursuant  
5 to appropriation and upon certificate of approval of availability by the  
6 director of the budget, for any non-hazardous municipal landfill closure  
7 project; municipal waste reduction or recycling project, as defined in  
8 article fifty-four of the environmental conservation law; for the  
9 purposes of section two hundred sixty-one and section two hundred  
10 sixty-four of the economic development law; any project for the develop-  
11 ment, updating or revision of local solid waste management plans pursu-  
12 ant to sections 27-0107 and 27-0109 of the environmental conservation  
13 law; environmental justice projects and grants [~~and~~]; for the develop-  
14 ment of the pesticide sales and use data base pursuant to title twelve  
15 of article thirty-three of the environmental conservation law; and for  
16 the payment of the costs of the collection, handling, and/or recycling  
17 and reuse of electronic waste pursuant to paragraph (b) of subdivision  
18 eight of section 27-2605 of the environmental conservation law.

19 § 3. Subdivision 8 of section 92-s of the state finance law, as added  
20 by chapter 610 of the laws of 1993, is amended to read as follows:

21 8. All payments of moneys from the fund shall be made on the audit and  
22 warrant of the comptroller; provided, however, that the comptroller  
23 shall, during each quarter, allocate moneys from the solid waste account  
24 to the department of environmental conservation for the payment of  
25 claims for compensation anticipated to be submitted, pursuant to para-  
26 graph (b) of subdivision eight of section 27-2605 of the environmental  
27 conservation law, during such quarter.

28 § 4. This act shall take effect on the first of January next succeed-  
29 ing the date on which it shall have become a law, and shall apply to  
30 electronic waste collected, handled, and/or recycled and reused on or  
31 after January 1, 2020; provided, however, that effective immediately,  
32 the addition, amendment and/or repeal of any rule or regulation neces-  
33 sary for the implementation of this act on its effective date are  
34 authorized and directed to be made and completed on or before such  
35 effective date.