

STATE OF NEW YORK

1263

2021-2022 Regular Sessions

IN ASSEMBLY

January 8, 2021

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

AN ACT to amend the environmental conservation law, in relation to
prohibiting the use of glyphosate on state property

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

1 Section 1. Subdivision 12 of section 33-1301 of the environmental
2 conservation law, as added by a chapter of the laws of 2020 amending the
3 environmental conservation law relating to prohibiting the use of
4 glyphosate on state property, as proposed in legislative bills numbers
5 S. 6502-A and A. 732-B, is amended to read as follows:

6 12. For any state department, agency, public benefit corporation or
7 any pesticide applicator employed thereby as a contractor or subcontrac-
8 tor to apply glyphosate on state property, provided that the application
9 of glyphosate on state property is permitted only for (a) direct appli-
10 cation in circumstances when there is no actual or significant threat of
11 direct human exposure and no effective and practicable alternative, and
12 (b) for the following uses, pursuant to regulations promulgated by the
13 department:

14 (i) to maintain critical infrastructure;

15 (ii) to manage roadside vegetation to ensure public safety;

16 (iii) habitat management for the control of invasive species identi-
17 fied pursuant to title seventeen of article nine of this chapter, pests
18 of significant public health importance, noxious weeds designated by the
19 department as injurious to ecosystem health, and the protection of crit-
20 ical native plant species; and

21 (iv) for research purposes to develop sustainable alternatives for
22 agricultural and environmental usages, as well as research regarding the
23 environmental motility of glyphosate.

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

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1 The department shall post information on its website regarding glypho-
2 sate usage pursuant to this section, including amount and location, by
3 April first of each year.

4 § 2. This act shall take effect on the same date and in the same
5 manner as a chapter of the laws of 2020 amending the environmental
6 conservation law relating to prohibiting the use of glyphosate on state
7 property, as proposed in legislative bills numbers S. 6502-A and A.
8 732-B, takes effect.