STATE OF NEW YORK

3105

2021-2022 Regular Sessions

IN ASSEMBLY

January 22, 2021

Introduced by M. of A. EPSTEIN, COLTON -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to requiring state and municipal agencies to purchase compostable single use tableware

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

Section 1. Article 27 of the environmental conservation law is amended by adding a new title 31 to read as follows:

TITLE 31

COMPOSTABLE SINGLE USE TABLEWARE

Section 27-3101. Definitions.

27-3103. Required compostable single use tableware.

§ 27-3101. Definitions.

For the purposes of this title, the following terms shall have the following meanings:

1. "Affordable" means purchasable for not more than fifteen percent more than the purchase cost of the non-compostable alternative.

2. "Agency" means any department, agency, board, public benefit corporation, public authority, or commission.

3. "Compostable" means all the materials in the product will (a) undergo degradation by biological processes during composting to yield carbon dioxide, water, inorganic compounds, and biomass at a rate consistent with other known compostable materials and (b) leave no visible, distinguishable or toxic residue, including no adverse impact on the ability of composts to support plant growth once the finished compost is placed in soil.

4. "Municipal" means a village, town, city, or county.

5. "Single use tableware" means all utensils, plates, dishes and cups that are designed for one-time use.

§ 27-3103. Required compostable single use tableware.

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

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All state and municipal agencies purchasing single use tableware shall purchase single use tableware made from material that is compostable unless there is no affordable compostable product available.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.