# STATE OF NEW YORK

3171

2021-2022 Regular Sessions

# IN ASSEMBLY

January 22, 2021

Introduced by M. of A. FAHY -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the state finance law, in relation to enacting the "environmentally conscious purchasing act"

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

Section 1. Short title. This act shall be known and may be cited as the "environmentally conscious purchasing act".

§ 2. Section 165 of the state finance law is amended by adding a new subdivision 2-a to read as follows:

**2-a. Prohibition on the purchase of single-use plastic products.**

**a. For the purposes of this subdivision, "single-use plastic products" shall include:**

**(i) plastic bags;**

**(ii) cling film plastic food packaging;**

**(iii) non-recyclable plastic bottles;**

**(iv) plastic straws;**

**(v) plastic plates, non-reusable plastic containers, plastic cups, plastic lids, and plastic stirrers;**

**(vi) plastic cutlery;**

**(vii) plastic rings used in packaging;**

**(viii) styrofoam plates, styrofoam take-away containers and styrofoam trays; and**

**(ix) any other single-use plastic products determined to be included by the office of general services, in consultation with the department of environmental conservation.**

**b. Except as provided in this subdivision, the state and any governmental agency or political subdivision or public benefit corporation of the state shall not purchase or obtain for any purpose any single-use plastic product.**

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

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c. The provisions of paragraph b of this subdivision shall not apply to:

(i) the purchase of plastic straws for a person requiring such straws due to a medical condition;

(ii) the purchase of single-use plastic bags for garbage collection; and

(iii) single-use plastic medical equipment.

d. The attorney general shall investigate any violation of this subdivision and provide a report to the governor, the temporary president of the senate, and the speaker of the assembly.

§ 3. This act shall take effect immediately.