

# STATE OF NEW YORK

3902

2023-2024 Regular Sessions

## IN ASSEMBLY

February 8, 2023

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:

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

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

5 2-a. Prohibition on the purchase of single-use plastic products.

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

8 (i) plastic bags;

9 (ii) cling film plastic food packaging;

10 (iii) non-recyclable plastic bottles;

11 (iv) plastic straws;

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

14 (vi) plastic cutlery;

15 (vii) plastic rings used in packaging;

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

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

21 b. Except as provided in this subdivision, the state and any govern-  
22 mental agency or political subdivision or public benefit corporation of  
23 the state shall not purchase or obtain for any purpose any single-use  
24 plastic product.

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

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

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

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

7 (iii) single-use plastic medical equipment.

8 d. The attorney general shall investigate any violation of this subdi-  
9 vision and provide a report to the governor, the temporary president of  
10 the senate, and the speaker of the assembly.

11 § 3. This act shall take effect immediately.