

STATE OF NEW YORK

5022--A

2023-2024 Regular Sessions

IN ASSEMBLY

February 27, 2023

Introduced by M. of A. O'DONNELL -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the parks, recreation and historic preservation law, in relation to prohibiting littering and dumping on state park lands

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

Section 1. The parks, recreation and historic preservation law is amended by adding a new section 13.12 to read as follows:

§ 13.12 Littering on park lands prohibited. 1. No person shall throw, place, or otherwise dispose of or cause to be thrown, placed, or otherwise disposed of upon any park lands or upon private lands adjacent thereto, any refuse, trash, garbage, rubbish, litter or any nauseous or offensive matter.

2. Nothing in this section shall be construed as prohibiting the use in a reasonable manner as ashes, sand, salt or other material for the purpose of reducing the hazard of, or providing traction on snow, ice or sleet.

3. A violation of the provisions of subdivision one of this section shall be punishable by a fine not to exceed three hundred fifty dollars and/or a requirement to perform services at the park lands where the offense occurred, or, in the discretion of the department, at another state park land location, not to exceed ten hours and for any second or subsequent violation by a fine not to exceed seven hundred dollars and/or a requirement to perform services at the park lands where the offense occurred, or, in the discretion of the department, at another state park land location, not to exceed fifteen hours.

§ 2. The section heading and subdivisions 1 and 2 of section 13.10 of the parks, recreation and historic preservation law, as added by chapter 235 of the laws of 1988, are amended to read as follows:

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

LBD02811-02-3

1 ~~[Deposit of rubbish]~~ Dumping on park lands prohibited. 1. No person
2 shall deposit, dump, or leave on lands under the jurisdiction of the
3 office any rubbish or other waste material, or enter upon any lands
4 under the jurisdiction of the office with the intent to do so, except
5 that this provision shall not apply to the deposit of rubbish or other
6 waste material generated as a result of the lawful use of such lands and
7 deposited in an approved receptacle.
8 2. Any person who violates the provisions of subdivision one of this
9 section shall be guilty of a violation, and, upon conviction, shall be
10 punished by a fine of not more than ~~[two]~~ five hundred ~~[fifty]~~ dollars.
11 In addition, such violator shall be liable to a civil penalty of not
12 more than ~~[five]~~ seven hundred fifty dollars for each day during which
13 such violation continues.
14 § 3. This act shall take effect immediately.