STATE OF NEW YORK

805

2023-2024 Regular Sessions

IN ASSEMBLY

January 11, 2023

Introduced by M. of A. L. ROSENTHAL, BICHOTTE HERMELYN, SIMON, OTIS -- read once and referred to the Committee on Health

AN ACT to direct the department of health to study the potential health risks and effects of glyphosate and its by-product aminomethylphosphonic acid; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Public health study of the use of glyphosate and its by-product aminomethylphosphonic acid. 1. Definitions. a. For the purpose of this section, "glyphosate" shall mean a synthetic compound that is a non-selective systemic herbicide, also known as N-(phosphonomethyl) glycine with a chemical formula of C3H8NO5P.

b. For the purpose of this section "AMPA" shall mean aminomethylphosphonic acid, a synthetic compound that is a metabolite of the herbicide glyphosate with a chemical formula of CH6NO3P.

2. The department of health, in cooperation with the department of environmental conservation, shall conduct a study of the potential health risks and effects of glyphosate and AMPA. Such study shall:

a. review all available data relating to the potential health risks and effects of glyphosate and AMPA;

b. identify safe alternatives to glyphosate and AMPA;

c. determine whether the use of glyphosate and AMPA should be permitted in the state; and

d. if the use of glyphosate and AMPA should be permitted, identify recommended safe practices associated with the use of glyphosate and AMPA.

3. The commissioner of health, or his or her designee, shall:

a. solicit input from environmental and public health specialists, and other stakeholders in an open public process;

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

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b. examine various routes of exposure and the health and environmental impact of glyphosate and AMPA including, but not limited to, small fill particle inhalation, volatility, leaching to groundwater, dermal absorption, and persistence in the environment of original and degradation by-products;

c. prepare a report to the governor and the legislature which includes research and studies conducted on glyphosate and AMPA which were the source of the report findings and recommendations for appropriate and inappropriate use of glyphosate and AMPA. Such report shall be filed within one year of the effective date of this act, unless the commissioner of health requests in writing, an extension of time; and

d. conduct an outreach program to inform local governments, private organizations, schools and the public regarding the findings of such report. If necessary, information on safe alternatives to glyphosate and AMPA in settings where these compounds are a potential or actual health risk should be disseminated to the public.

e. All other departments or agencies of the state or subdivisions thereof, and local governments shall, at the request of the commissioner of health, provide expertise, assistance, and data that will enable such commissioner to carry out his or her powers and duties.

§ 2. This act shall take effect immediately; (a) provided, however, that this act shall continue in full force and effect for one year from such effective date, or until the department of health reports to the governor and the legislature as required by section one of this act, whichever date is later, when upon such date the provisions of this act shall be deemed repealed; and

(b) provided that the commissioner of health shall notify the legislative bill drafting commission upon filing the report required in section one of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.