STATE OF NEW YORK

491

2023-2024 Regular Sessions

IN SENATE

January 4, 2023

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to prohibiting illegal dumping on public property

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

Section 1. The environmental conservation law is amended by adding a new section 27-0111 to read as follows:

§ 27-0111. Illegal dumping on public property.

1. For the purpose of this section the term "dump" or "dumping" shall mean to throw, dump, deposit or place, or cause to be thrown, dumped, deposited or placed any refuse, trash, garbage, rubbish, litter or any nauseous or offensive matter in an area not licensed or permitted to receive such refuse, trash, garbage, rubbish, litter or nauseous or offensive matter.

2. In addition to any penalties imposed under section 16-119 of the administrative code of the city of New York, no person shall dump or perform an act of dumping upon any sidewalk, street, lot, park, public place, wharf, pier, dock, bulkhead, slip, navigable waterway or any other area publicly owned by the state or a municipality.

3. A violation of subdivision two of this section shall be punishable by a fine of five hundred dollars for the first offense and one thousand dollars for a second and subsequent offense. If site clean-up is deemed necessary by the commissioner as a result of a violation of this section, the offender shall also be subject to a fine equal to the sum of any and all expenses incurred in the clean-up or decontamination of such dumping site.

4. In addition to any reward set forth in subdivision f of section 16-119 of the administrative code of the city of New York, a witness to a violation set forth in subdivision two of this section may submit evidence of such violation to the commissioner. If such evidence leads

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

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to a fine for such violation, the commissioner shall offer as a reward to such witness in an amount that is at the discretion of the commissioner. Evidence of a violation may include but not be limited to:

(a) a video of the dumping; or

(b) a picture of a license plate of a vehicle suspected of dumping.

§ 2. This act shall take effect immediately.