STATE OF NEW YORK

7597

2023-2024 Regular Sessions

IN SENATE

July 12, 2023

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the environmental conservation law, in relation to recycling electronic cigarettes

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

Section 1. Article 27 of the environmental conservation law is amended by adding a new title 34 to read as follows:

TITLE 34

ELECTRONIC CIGARETTE RECYCLING

Section 27-3401. Return of electronic cigarettes for recycling.

§ 27-3401. Return of electronic cigarettes for recycling.

1. Manufacturers of electronic cigarettes shall accept the return of such devices for recycling by vapor product dealers registered pursuant to article twenty-eight-C of the tax law. Vapor product dealers shall accept the return of any used electronic cigarettes for recycling.

2. Electronic cigarette manufacturers which import for profit, sell or offer electronic cigarettes for sale in this state shall be responsible for, at a minimum, the following:

a. Within ninety days of the effective date of this title, submittance to the commissioner of a plan that identifies the methods by which such manufacturers will safely collect and recycle electronic cigarettes and the lithium-ion batteries contained therein.

b. Submittance to the department of annual reports, on a form prescribed by the department, concerning the amount of electronic cigarettes received within the state and recycled either by number or by weight; the costs of such efforts; and any other relevant information as required by the department.

c. Undertaking of efforts to educate consumers regarding the appropriate ways to recycle electronic cigarettes.

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

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3. The commissioner shall approve or reject any electronic cigarette manufacturer's collection, transportation, and recycling plans described in paragraph a of subdivision two of this section within ninety days of submission and, if rejected, inform the electronic cigarette manufacturer in writing as to any deficiencies in said plan. Electronic cigarette manufacturers shall amend and resubmit any rejected plans for reconsideration within sixty days of notification of the rejection of said plan. The commissioner shall approve or reject said plan within thirty days of resubmission.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.