

STATE OF NEW YORK

809--A

Cal. No. 323

2023-2024 Regular Sessions

IN SENATE

January 6, 2023

Introduced by Sens. SERRANO, ADDABBO, MANNION, RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

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.

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

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§ 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:

~~[Deposit of rubbish]~~ Dumping on park lands prohibited. 1. No person shall deposit, dump, or leave on lands under the jurisdiction of the office any rubbish or other waste material, or enter upon any lands under the jurisdiction of the office with the intent to do so, except that this provision shall not apply to the deposit of rubbish or other waste material generated as a result of the lawful use of such lands and deposited in an approved receptacle.

2. Any person who violates the provisions of subdivision one of this section shall be guilty of a violation, and, upon conviction, shall be punished by a fine of not more than ~~[two]~~ five hundred ~~[fifty]~~ dollars. In addition, such violator shall be liable to a civil penalty of not more than ~~[five]~~ seven hundred fifty dollars for each day during which such violation continues.

§ 3. This act shall take effect immediately.