

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:

- 1 Section 1. Public health study of the use of glyphosate and its
2 by-product aminomethylphosphonic acid. 1. Definitions. a. For the
3 purpose of this section, "glyphosate" shall mean a synthetic compound
4 that is a non-selective systemic herbicide, also known as
5 N-(phosphonomethyl) glycine with a chemical formula of C₃H₈NO₅P.
6 b. For the purpose of this section "AMPA" shall mean aminomethylphos-
7 phonic acid, a synthetic compound that is a metabolite of the herbicide
8 glyphosate with a chemical formula of CH₆NO₃P.
9 2. The department of health, in cooperation with the department of
10 environmental conservation, shall conduct a study of the potential
11 health risks and effects of glyphosate and AMPA. Such study shall:
12 a. review all available data relating to the potential health risks
13 and effects of glyphosate and AMPA;
14 b. identify safe alternatives to glyphosate and AMPA;
15 c. determine whether the use of glyphosate and AMPA should be permit-
16 ted in the state; and
17 d. if the use of glyphosate and AMPA should be permitted, identify
18 recommended safe practices associated with the use of glyphosate and
19 AMPA.
20 3. The commissioner of health, or his or her designee, shall:
21 a. solicit input from environmental and public health specialists, and
22 other stakeholders in an open public process;

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

LBD00688-01-3

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

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

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

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

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

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