

STATE OF NEW YORK

3224

2023-2024 Regular Sessions

IN SENATE

January 30, 2023

Introduced by Sen. SANDERS -- 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 requiring state and municipal agencies to purchase compostable single use tableware

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

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

3 TITLE 34

4 COMPOSTABLE SINGLE USE TABLEWARE

5 Section 27-3401. Definitions.

6 27-3403. Required compostable single use tableware.

7 § 27-3401. Definitions.

8 For the purposes of this title, the following terms shall have the
9 following meanings:

10 1. "Affordable" means purchasable for not more than fifteen percent
11 more than the purchase cost of the non-compostable alternative.

12 2. "Agency" means any department, agency, board, public benefit corpo-
13 ration, public authority, or commission.

14 3. "Compostable" means all the materials in the product will (a)
15 undergo degradation by biological processes during composting to yield
16 carbon dioxide, water, inorganic compounds, and biomass at a rate
17 consistent with other known compostable materials and (b) leave no visi-
18 ble, distinguishable or toxic residue, including no adverse impact on
19 the ability of composts to support plant growth once the finished
20 compost is placed in soil.

21 4. "Municipal" means a village, town, city, or county.

22 5. "Single use tableware" means all utensils, plates, dishes and cups
23 that are designed for one-time use.

24 § 27-3403. Required compostable single use tableware.

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

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1 All state and municipal agencies purchasing single use tableware shall
2 purchase single use tableware made from material that is compostable
3 unless there is no affordable compostable product available.

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