STATE OF NEW YORK

4974--A

2023-2024 Regular Sessions

IN SENATE

February 17, 2023

Introduced by Sens. WALCZYK, OBERACKER, WEBER -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- reported favorably from said committee and committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to banning unencapsulated expanded or extruded polystyrene foam in floating docks and floating platforms

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
UNENCAPSULATED EXPANDED OR
EXTRUDED POLYSTYRENE FOAM BAN

Section 27-3401. Definitions.
27-3403. Unencapsulated expanded or extruded polystyrene foam ban.

§ 27-3401. Definitions.

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

1. "Expanded polystyrene foam" means expanded foam thermoplastics utilizing a styrene monomer and processed by any number of techniques. Such term shall not include rigid polystyrene.

2. "Extruded polystyrene foam" means polystyrene foam manufactured via an extrusion process where plastic resin and other additives are combined and extruded through a die, before cooling and expanding into its final shape.

3. "Rigid polystyrene" means plastic made from rigid polystyrene resin that has not been expanded, extruded, or foamed.

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

LBD09008-03-3

§ 27-3403. Unencapsulated expanded or extruded polystyrene foam ban.

1. Beginning January first, two thousand twenty-five, any person who sells, offers to sell, or distributes a floating dock or floating platform in this state shall ensure that any expanded polystyrene foam or extruded polystyrene foam in such floating dock or floating platform is fully encapsulated.

2. Beginning January first, two thousand twenty-five, any person who constructs a floating dock or floating platform in this state shall ensure that any expanded polystyrene foam or extruded polystyrene foam in such floating dock or floating platform is fully encapsulated.

§ 2. This act shall take effect immediately.