STATE OF NEW YORK

7345

2023-2024 Regular Sessions

IN SENATE

May 19, 2023

Introduced by Sens. PARKER, MYRIE -- 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 enacting the "NY plastic free act"

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

Section 1. Short title. This act shall be known and may be cited as the "NY plastic free act".

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

TITLE 34

NY PLASTIC FREE ACT

Section 27-3401. Definition.

27-3403. Single-use plastic products prohibited.

§ 27-3401. Definition.

For the purposes of this title, "single-use plastic products" shall include:

1. plastic bags;

2. cling film plastic food packaging;

3. non-recyclable plastic bottles;

4. plastic straws;

5. plastic plates, non-reusable plastic containers, plastic cups, plastic lids, and plastic stirrers;

6. plastic cutlery;

7. plastic rings used in packaging;

8. styrofoam plates, styrofoam take-away containers and styrofoam trays; and

9. any other single-use plastic products determined to be included by the department.

§ 27-3403. Single-use plastic products prohibited.

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

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1. No person, firm, partnership, association, limited liability company or corporation shall sell or offer for sale or provide to any person in the state any single-use plastic products.

2. This section shall not apply to:

(a) the purchase of plastic straws for a person requiring such straws due to a medical condition;

(b) the purchase of single-use plastic bags for garbage collection; and

(c) single-use plastic medical equipment.

§ 3. This act shall take effect on the sixtieth day after it shall have become a law.