STATE OF NEW YORK

9379

IN SENATE

May 14, 2024

Introduced by Sen. HARCKHAM -- 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 prohibiting the application of pesticides to certain local freshwater wetlands

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

Section 1. The environmental conservation law is amended by adding a new section 24-0513 to read as follows:

§ 24-0513. Local freshwater wetlands pesticide prohibition.

1. A local government that has implemented a freshwater wetlands protection law or ordinance in accordance with section 24-0501 of this title may adopt a local law or ordinance to prohibit the application of pesticides to wetlands it regulates; provided, however, that any such law or ordinance shall not prohibit pesticide applications for the control of invasive species identified pursuant to title 17 of article 9 of this chapter, pests of significant public health importance, noxious weeds designated by the department as injurious to ecosystem health, or for the protection of critical native plant species.

2. (a) The provisions of this section shall apply only to those wetlands which are hydrologically connected to any reservoir, reservoir stem, class A waterway or other source of public water supply.

(b) The provisions of this section shall not be construed to prohibit or limit the use or application of pesticides in connection with commercial agricultural activities nor to contradict any other provisions of this chapter relating to such use.

3. Any local law or ordinance adopted pursuant to this section shall take effect on the first day of January after it shall have been adopted.

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

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

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