

STATE OF NEW YORK

11015--A

IN ASSEMBLY

April 20, 2026

Introduced by M. of A. BURDICK -- read once and referred to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to establishing state composting programs

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 STATE COMPOSTING PROGRAMS

5 Section 27-3401. State composting programs.

6 § 27-3401. State composting programs.

7 1. For the purposes of this section, the following terms shall have
8 the following meanings:

9 (a) "agency" means any department, agency, board, public benefit
10 corporation, public authority, or commission; and

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

18 2. Beginning one year after the effective date of this section, all
19 state agencies shall establish a composting program in buildings owned,
20 occupied or operated by such agencies that shall, at a minimum:

21 (a) require that all compostable waste including but not limited to
22 food scraps, plant trimmings, food-soiled paper and certified composta-
23 ble products from garbage and other recyclables be separated and placed
24 in labeled containers;

25 (b) post and maintain signs with instructions on identifying and sepa-
26 rating compostable waste from garbage and recyclables;

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

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1 (c) ensure agency employees place compostable waste in appropriately
2 labeled containers and do not mix such waste with garbage or recycla-
3 bles;

4 (d) ensure containers are latched at the time of storage or set-out;
5 and

6 (e) arrange for compostable waste to be transported and/or processed
7 separately from garbage and recycling.

8 3. Each state agency may arrange for collection of compostable waste
9 by a private carter, transport such waste itself or process such waste
10 on-site.

11 4. Beginning one year after the establishment of the program pursuant
12 to subdivision two of this section, and annually thereafter, each state
13 agency shall report to the department on such program, including, but
14 not limited to (i) an estimate of the amount of compostable waste
15 collected; and (ii) the costs associated with such program.

16 5. (a) An agency need not comply with subdivisions two and three of
17 this section with respect to a particular building if it provides the
18 department with a written explanation that compliance for such building
19 would be infeasible or would impose unreasonable costs because: (i) the
20 building generates only a de minimis quantity of compostable waste; (ii)
21 the building is located in a municipality or region with limited compost
22 management infrastructure, or insufficient service availability neces-
23 sary to support compliance; or (iii) geographic, climatic, or environ-
24 mental conditions such as high elevation, extreme temperatures, or other
25 factors that interfere with biological decomposition processes, make the
26 establishment or maintenance of composting operations impracticable.

27 (b) An agency must reevaluate each building for which it is not in
28 compliance every five years and submit a new non-compliance explanation,
29 as applicable, at such time.

30 (c) The provisions of subdivisions two and three of this section shall
31 not apply to buildings located within a municipality which establishes
32 and implements a composting program by adopting a local law or ordi-
33 nance.

34 Buildings required to comply with a municipal composting program
35 enacted by a municipal law or ordinance are exempt from the requirements
36 of subdivisions two and three of this section.

37 6. By December first, two thousand thirty, and annually thereafter,
38 the department shall post a report on its website detailing state agency
39 composting programs in the state. Such report shall include an evalu-
40 ation of the effectiveness of such composting programs, information on
41 costs and collection rates, and compliance exemptions pursuant to subdi-
42 vision five of this section.

43 § 2. This act shall take effect immediately.