STATE OF NEW YORK

11032

IN ASSEMBLY

April 23, 2026

Introduced by M. of A. BICHOTTE HERMELYN -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the environmental conservation law; in relation to directing state agencies to adopt a waste diversion plan

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 27-0111 to read as follows:

§ 27-0111. State entities waste reduction and diversion.

1. Definitions. For purposes of this section:

(a) "Affected entities" shall mean any agency or department over which the governor has executive authority, including all offices and divisions thereof, as well as all public authorities for which the governor appoints the chair, the chief executive, or the majority of board members, including all offices and divisions thereof, except for the port authority of New York and New Jersey. This shall include the state university of New York and the city university of New York.

(b) "Council" shall mean the GreenNY Council, created pursuant to executive order twenty-two on September twentieth, two thousand twenty-two.

2. (a) The council shall be comprised of the commissioner of environmental conservation; the director of the division of the budget; the commissioner of general services; the commissioner of health; the commissioner of economic development; the commissioner of transportation; the commissioner of parks, recreation, and historic preservation; the president of the environmental facilities corporation; the president of the New York state energy research and development authority; the president of the New York power authority; the president of the dormitory authority of the state of New York; and the chief executive officer of the metropolitan transportation authority.

(b) Members of the council may designate a staff member, and an alternate, to represent them and participate on the council on their behalf.

(c) The council shall be led and co-chaired by the commissioner of general services, the commissioner of environmental conservation, the

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

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director of the division of the budget, the president of the New York state energy research and development authority, and the president of the New York power authority, or their designees. The day-to-day work of the council shall be performed by executive and program staff of these leadership agencies and authorities, in consultation with any other agency or authority staff that participate in council work.

3. (a) All affected entities, in consultation with the department and the council, shall create a waste diversion plan and file such plan with the council, that outlines how they will achieve a decrease in waste disposal of ten percent every five years from a baseline of fiscal year two thousand eighteen-two thousand nineteen, until reaching a goal of an overall seventy-five percent decrease.

(b) Waste data reported for these goals shall be broken out into the following categories:

(i) recycled materials;

(ii) compostable materials and other organics;

(iii) material sent to landfills, including construction and demolition waste; and

(iv) special waste, including hazardous waste.

(c) The waste diversion plan shall incorporate at least the following elements:

(i) a schedule for conducting routine waste audits of facilities and how the findings from the waste audit will be utilized in advancing waste reduction;

(ii) a plan for diverting organic waste from landfills to meet the diversion goals;

(iii) identifying all instances where single-use plastics are used and creating a plan to eliminate their use in all circumstances where doing so will not endanger employee or public health and safety; and

(iv) consideration of whether the affected entity should be transitioning to dual-stream recycling that source separates recyclable items into subcategories of mixed paper and commingled containers (plastic, glass, and metal), at all facilities where it is practicable and where dual-stream material recovery facilities are available, cost-effective and efficient.

(d) The council, in consultation with the department, shall reassess the waste diversion goals of this subdivision at least every five years, and if the goals are updated by the council, the council shall require updated waste diversion plans to be submitted by affected entities.

4. All waste diversion plans prepared pursuant to this section shall be posted on the department's website.

§ 2. This act shall take effect immediately.