

STATE OF NEW YORK

5119--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 12, 2025

Introduced by M. of A. ANDERSON -- 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 general business law and the state finance law, in relation to solid waste removal invoices and directing penalties and fines related to such invoices to be deposited into the environmental protection fund

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

1 Section 1. The general business law is amended by adding a new section
2 392-k to read as follows:

3 § 392-k. Solid waste removal invoices. 1. For the purposes of this
4 section, the following terms shall have the following meanings:

5 (a) "Estimated full cost" shall mean a good faith projection of the
6 expected full cost.

7 (b) "Full cost" shall mean the total price, including any service
8 charges and additional fees, of waste removal services.

9 (c) "Waste removal services" shall mean the proper removal and
10 disposal of solid waste by a waste hauler for a customer on a one-time
11 basis.

12 (d) "Waste hauler" shall mean any person registered or permitted by
13 the department of environmental conservation to transport solid waste.

14 2. Any waste hauler that provides waste removal services shall:

15 (a) Inform a customer of the estimated full cost waste removal
16 services may cost, presented in a range from lowest to highest amount,
17 including the cost per unit of weight, prior to the provision of waste
18 removal services; and

19 (b) Provide such customer with an invoice of the full cost of such
20 waste removal services immediately after the completion of such waste
21 removal services; and

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

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1 (c) Provide such customer with an itemized receipt following payment
2 for such waste removal services.

3 3. Each invoice required pursuant to paragraph (b) of subdivision two
4 of this section shall contain the following notice:

5 "THIS INVOICE IS SUBJECT TO THE PROVISIONS OF SECTION 392-k OF THE
6 GENERAL BUSINESS LAW."

7 4. Any person who violates any provision of this section shall be
8 liable for a civil penalty not to exceed five hundred dollars for the
9 first violation and not to exceed two thousand five hundred dollars for
10 subsequent violations.

11 5. All civil penalties and fines collected for any violation of this
12 section shall be deposited to the credit of the environmental protection
13 fund established pursuant to section ninety-two-s of the state finance
14 law.

15 § 2. Subdivision 3 of section 92-s of the state finance law, as
16 amended by chapter 734 of the laws of 2021, is amended to read as
17 follows:

18 3. Such fund shall consist of the amount of revenue collected within
19 the state from the amount of revenue, interest and penalties deposited
20 pursuant to section fourteen hundred twenty-one of the tax law, the
21 amount of fees and penalties received from easements or leases pursuant
22 to subdivision fourteen of section seventy-five of the public lands law
23 and the money received as annual service charges pursuant to section
24 four hundred four-n of the vehicle and traffic law, all moneys required
25 to be deposited therein from the contingency reserve fund pursuant to
26 section two hundred ninety-four of chapter fifty-seven of the laws of
27 nineteen hundred ninety-three, all moneys required to be deposited
28 pursuant to section thirteen of chapter six hundred ten of the laws of
29 nineteen hundred ninety-three, repayments of loans made pursuant to
30 section 54-0511 of the environmental conservation law, all moneys to be
31 deposited from the Northville settlement pursuant to section one hundred
32 twenty-four of chapter three hundred nine of the laws of nineteen
33 hundred ninety-six, provided however, that such moneys shall only be
34 used for the cost of the purchase of private lands in the core area of
35 the central Suffolk pine barrens pursuant to a consent order with the
36 Northville industries signed on October thirteenth, nineteen hundred
37 ninety-four and the related resource restoration and replacement plan,
38 the amount of penalties required to be deposited therein by section
39 71-2724 of the environmental conservation law, all moneys required to be
40 deposited pursuant to article thirty-three of the environmental conser-
41 vation law, all fees collected pursuant to subdivision eight of section
42 70-0117 of the environmental conservation law, all moneys collected
43 pursuant to title thirty-three of article fifteen of the environmental
44 conservation law, beginning with the fiscal year commencing on April
45 first, two thousand thirteen, nineteen million dollars, and all fiscal
46 years thereafter, twenty-three million dollars plus all funds received
47 by the state each fiscal year in excess of the greater of the amount
48 received from April first, two thousand twelve through March thirty-
49 first, two thousand thirteen or one hundred twenty-two million two
50 hundred thousand dollars, from the payments collected pursuant to subdi-
51 vision four of section 27-1012 of the environmental conservation law and
52 all funds collected pursuant to section 27-1015 of the environmental
53 conservation law, all moneys required to be deposited pursuant to
54 sections 27-2805 and 27-2807 of the environmental conservation law, all
55 moneys collected pursuant to section 71-2730 of the environmental
56 conservation law, all moneys required to be deposited pursuant to

1 section 27-3205 of the environmental conservation law, all moneys
2 collected pursuant to section three hundred ninety-two-k of the general
3 business law, and all other moneys credited or transferred thereto from
4 any other fund or source pursuant to law. All such revenue shall be
5 initially deposited into the environmental protection fund, for applica-
6 tion as provided in subdivision five of this section.

7 § 3. This act shall take effect immediately.