

STATE OF NEW YORK

10168

IN SENATE

May 4, 2026

Introduced by Sen. KAVANAGH -- 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 "extended producer responsibility for artificial turf act of 2026"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "extended producer responsibility for artificial turf act of 2026".

3 § 2. The title heading of title 33 of article 27 of the environmental
4 conservation law, as amended by chapter 206 of the laws of 2025, is
5 amended to read as follows:

6 EXTENDED PRODUCER RESPONSIBILITY FOR
7 CARPET AND ARTIFICIAL TURF

8 § 3. Section 27-3301 of the environmental conservation law, as added
9 by chapter 795 of the laws of 2022, the opening paragraph and subdivi-
10 sion 3-a as added and subdivisions 2, 3, and 10 as amended by chapter 82
11 of the laws of 2023, is amended to read as follows:

12 § 27-3301. Definitions.

13 For the purposes of this title, the following terms shall have the
14 following meanings:

15 1. "Artificial turf" means synthetic materials developed to resemble
16 natural grass, grass, sod, or lawn, and includes any shock attenuation
17 layer, infill, or padding.

18 2. "Brand" means a name, symbol, word, or mark that attributes [~~the~~] a
19 product to the owner or licensee of the brand as the producer.

20 [~~2-~~] 3. "Carpet" means a manufactured article that is (a) used by a
21 consumer, (b) affixed or placed on the floor or building walking surface
22 as a decorative or functional building interior or exterior feature, and
23 (c) primarily constructed of a top surface of synthetic or natural face
24 fibers or yarns or tufts attached to a backing system made of synthetic
25 or natural materials. "Carpet" includes, but is not limited to, a
26 commercial or residential broadloom carpet, modular carpet tiles, [~~arti-~~

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

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1 ~~ificial turf,~~] a pad or underlayment used in conjunction with a carpet.
2 "Carpet" does not include handmade rugs, area rugs, or mats.

3 [~~3-~~] 4. "Closed loop recycling" means recycling in which materials
4 that are reclaimed are returned to the original process or processes in
5 which they were generated and they are reused in the production process.

6 [~~3-a. "Carpet collection~~] 5. "Collection program" or "program" means a
7 program financed and implemented by producers, either individually, or
8 through a representative organization, that provides for, but is not
9 limited to, the collection, transportation, reuse, recycling, proper
10 end-of-life management, or an appropriate combination thereof, of
11 discarded carpet or artificial turf.

12 [~~4-~~] 6. "Collection site" means (a) a permanent location in the state
13 at which discarded carpet or artificial turf may be returned by a
14 consumer~~["Collection~~]; or (b) a mobile collection unit, such as a truck
15 and trailer, a roll-off truck, or a roll-off container that is
16 dispatched to a specific site located in the state in order to collect
17 discarded artificial turf. Carpet collection sites shall accept all
18 types of carpet, as defined by this title, regardless of brand and arti-
19 ficial turf collection sites shall accept all types of artificial turf,
20 as defined by this title, regardless of brand.

21 [~~5-~~] 7. "Consumer" means a person located in the state who purchases,
22 owns, leases, or uses carpet or artificial turf, including but not
23 limited to an individual, a business, corporation, limited partnership,
24 not-for-profit corporation, the state, a public corporation, public
25 school, school district, private or parochial school, or board of coop-
26 erative educational services or governmental entity.

27 [~~6-~~] 8. "Discarded artificial turf" means artificial turf that a
28 consumer has used and disposed of in the state and is no longer used for
29 its manufactured purpose.

30 9. "Discarded carpet" means carpet that a consumer has used and
31 disposed of in the state and is no longer used for its manufactured
32 purpose.

33 [~~7-~~] 10. "Energy recovery" means the process by which all or a portion
34 of solid waste materials are processed or combusted in order to utilize
35 the heat content or other forms of energy derived from such solid waste
36 materials.

37 [~~8-~~] 11. "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS
38 substances" means a class of fluorinated organic chemicals containing at
39 least one fully fluorinated carbon atom.

40 [~~9-~~] 12. "Producer" means any person who manufactures carpet or arti-
41 ficial turf that is sold, offered for sale, or distributed in the state
42 under the manufacturer's own name or brand. "Producer" includes:

43 (a) the owner of a trademark or brand under which carpet or artificial
44 turf is sold, offered for sale, or distributed in this state, whether or
45 not such trademark or brand is registered in the state; and

46 (b) any person who imports a carpet or artificial turf into the United
47 States that is sold or offered for sale in the state and that is manu-
48 factured by a person who does not have a presence in the United States.

49 [~~10-~~] 13. "Recycling" means to separate, dismantle or process the
50 materials, components or commodities contained in discarded carpet or
51 discarded artificial turf for the purpose of preparing the materials,
52 components, or commodities for use or reuse in new products or compo-
53 nents. "Recycling" does not include: (a) energy recovery or energy
54 generation by any means, including but not limited to, combustion,
55 incineration, pyrolysis, gasification, solvolysis, waste to fuel or any
56 chemical conversion process; or (b) landfill disposal of discarded

1 carpet, discarded artificial turf, or discarded product component mate-
2 rials.

3 [~~11-~~] 14. "Recycling rate" means the percentage of discarded carpet or
4 discarded artificial turf that is managed through recycling or reuse, as
5 defined by this title, and is computed by dividing the amount of recy-
6 cled output derived from collected carpet or collected artificial turf,
7 plus any pounds sent for reuse by the estimated total amount of
8 discarded carpet or discarded artificial turf generated during a program
9 year.

10 [~~12-~~] 15. "Representative organization" means a not-for-profit organ-
11 ization established by a producer or group of producers to implement the
12 [~~carpet~~] collection program.

13 [~~13-~~] 16. "Retailer" means any person who sells or offers for sale
14 carpet or artificial turf to a consumer in the state.

15 [~~14-~~] 17. "Reuse" means the return of a product into the economic
16 stream for use in the same kind of application as the product was
17 originally intended to be used, without a change in the product's iden-
18 tity.

19 [~~15-~~] 18. "Sell" or "sale" means any transfer for consideration of
20 title or the right to use, from a manufacturer or retailer to a person,
21 including, but not limited to, transactions conducted through retail
22 sales outlets, catalogs, mail, the telephone, the internet, or any elec-
23 tronic means; this does not include samples, donations, and reuse.

24 § 4. Subdivisions 1, 2 and 4 of section 27-3303 of the environmental
25 conservation law, subdivisions 1 and 4 as amended by chapter 82 of the
26 laws of 2023, and subdivision 2 as added by chapter 795 of the laws of
27 2022, are amended to read as follows:

28 1. No later than December thirty-first, two thousand twenty-five, a
29 producer, either individually or cooperatively with one or more produc-
30 ers, or a representative organization shall submit to the department for
31 the department's approval a plan for the establishment of a [~~carpet~~]
32 collection program that meets the collection requirements described in
33 this section.

34 2. A producer may satisfy the [~~carpet~~] collection program requirement
35 of this section by agreeing to participate collectively with other
36 producers. Any such collective [~~carpet~~] collection program shall notify
37 the department.

38 4. The plan submitted by the producer or representative organization
39 to the department under this section shall, at a minimum:

40 (a) provide a list of each participating producer and [~~brands~~] brand
41 covered by the program;

42 (b) provide information on the products covered by the program;

43 (c) describe how the producer or representative organization will
44 collect, transport, recycle, and process carpet or artificial turf;

45 (d) describe how the program will provide for collection of carpet or
46 artificial turf in the state, free of cost and in a manner convenient to
47 consumers and [~~carpet~~] installers, including how the program will
48 achieve, at a minimum, a convenience standard which ensures that: (i)
49 for carpet, all counties of the state and all municipalities which have
50 a population of ten thousand or greater have at least one permanent
51 collection site and one additional permanent collection site for every
52 thirty thousand people located in those areas, that accepts carpet from
53 consumers during normal business hours; provided, however, with respect
54 to a city having a population of one million or more, after consultation
55 with the department of sanitation of such city, the department may
56 otherwise establish an alternative convenience standard; and (ii) for

1 artificial turf, a producer or representative organization utilizes
2 mobile collection units that are readily available to consumers and, to
3 the extent necessary to provide convenience for consumers in all coun-
4 ties of the state, permanent collection sites. Producers and represen-
5 tative organizations utilizing mobile collection units shall ensure
6 that: (A) there are no mixed loads, (B) discarded carpet or discarded
7 artificial turf is shipped directly to the designated facility, and (C)
8 such shipment is verified through chain of custody documentation. The

9 producer or representative organization may coordinate the program with
10 existing municipal waste collection infrastructure as is mutually agree-
11 able. Convenience standards shall be evaluated by the department period-
12 ically and the department may require additional permanent collection
13 locations for carpet or artificial turf to ensure adequate consumer
14 convenience;

15 (e) describe in detail education and outreach efforts to inform
16 consumers, [~~carpet~~] installers and others engaged in the management of
17 discarded carpet or discarded artificial turf about the program includ-
18 ing, at a minimum, an internet website and a toll-free telephone number
19 and written information included at the time of sale of carpet or arti-
20 ficial turf that provides sufficient information to allow a consumer to
21 learn how to return such carpet or artificial turf for disposal, recycl-
22 ing or reuse;

23 (f) describe the methods to be used to reuse or recycle discarded
24 carpet or artificial turf;

25 (g) describe the methods to be used to manage or dispose of discarded
26 carpet or discarded artificial turf that cannot be recycled or reused;

27 (h) describe how the program will meet annual performance goals, as
28 determined by the department, provided that at a minimum, the program
29 shall achieve the following recycling rates:

30 (i) a thirty percent recycling rate for carpets or artificial turf, of
31 which ten percent shall be closed-loop recycling by five years after the
32 plan is approved by the department pursuant to section 27-3309 of this
33 title;

34 (ii) a fifty percent recycling rate for carpets or artificial turf, of
35 which twenty percent shall be closed-loop recycling by ten years after
36 the plan is approved by the department pursuant to section 27-3309 of
37 this title; and

38 (iii) a seventy-five percent recycling rate for carpets or artificial
39 turf, of which forty percent shall be closed-loop recycling by fifteen
40 years after the plan is approved by the department pursuant to section
41 27-3309 of this title;

42 (i) describe what, if any, incentives will be used to encourage
43 retailer participation;

44 (j) describe the outreach and education methods that will be used to
45 encourage municipal landfill and transfer station participation;

46 (k) describe the sources of data and methodology for estimating the
47 amount of carpet or artificial turf discarded in the state annually;

48 [~~and~~]

49 (l) describe, for artificial turf, how such producer or representative
50 organization will satisfy section 27-3313 of this title; and

51 (m) any other information as specified by the department.

52 § 5. Subdivisions 1, 2, 5, 6, and paragraphs (a) and (c) of subdivi-
53 sion 7 of section 27-3305 of the environmental conservation law, as
54 amended by chapter 82 of the laws of 2023, are amended to read as
55 follows:

1 1. Beginning not later than July first, two thousand twenty-six, the
2 producer or representative organization shall implement the [~~carpet~~]
3 collection program utilizing collection sites established pursuant to
4 paragraph (d) of subdivision four of section 27-3303 of this title.

5 2. A producer shall not sell, or offer for sale, carpet or artificial
6 turf to any person in the state unless the producer is implementing or
7 participating under an approved plan.

8 5. A producer or representative organization shall be responsible for
9 all costs associated with the implementation of the [~~carpet~~] collection
10 program, including but not limited to the cost of collection. A produc-
11 er, producers or representative organization shall pay costs incurred by
12 the department in the administration and enforcement of this title.
13 Exclusive of fines and penalties, the department shall only be reim-
14 bursed its actual cost of administration and enforcement.

15 6. Any person who becomes a producer on or after December thirty-
16 first, two thousand twenty-five shall submit a plan to the department,
17 or notify the department that it has joined an existing plan, prior to
18 selling or offering for sale in the state any carpet or artificial turf,
19 and shall comply with the requirements of this title.

20 (a) a detailed description of the methods used to collect, transport,
21 and process carpet or artificial turf in the state, including detailing
22 collection methods made available to consumers and an evaluation of the
23 program's collection convenience;

24 (c) the weight of all of the producer's carpet or artificial turf
25 collected in the state by method of disposition, including reuse, recy-
26 cling and other methods of processing or disposal;

27 § 6. Section 27-3307 of the environmental conservation law, as amended
28 by chapter 82 of the laws of 2023, is amended to read as follows:

29 § 27-3307. Retailer requirements.

30 1. Beginning July first, two thousand twenty-six, no retailer may sell
31 or offer for sale carpet or artificial turf in the state unless the
32 producer of such carpet or artificial turf is participating in a
33 [~~carpet~~] collection program. A retailer shall be in compliance with this
34 section if, on the date the carpet or artificial turf was offered for
35 sale, the producer is listed on the department's website as implementing
36 or participating in an approved program or if the carpet or artificial
37 turf brand is listed on the department's website as being included in
38 the program.

39 2. Any retailer may participate, on a voluntary basis, as a designated
40 collection site pursuant to a [~~carpet~~] collection program and in accord-
41 ance with all applicable laws and regulations.

42 § 7. Paragraphs (a) and (b) of subdivision 5 and subdivision 6 of
43 section 27-3309 of the environmental conservation law, paragraphs (a)
44 and (b) of subdivision 5 as amended by chapter 82 of the laws of 2023
45 and subdivision 6 as added by chapter 795 of the laws of 2022, are
46 amended to read as follows:

47 (a) the stream of carpet or artificial turf in the state;

48 (b) disposal, recycling and reuse rates in the state for carpet or
49 artificial turf;

50 6. Starting four years after the plan is approved by the department
51 pursuant to this section, the department shall impose a penalty of twen-
52 ty-five cents per pound to be assessed on the producer or representative
53 organization for the number of additional pounds of carpet or artificial
54 turf that would have needed to be recycled through the program to
55 achieve the performance goals specified in the approved stewardship
56 plan. All penalties collected pursuant to this section shall be paid

1 over to the commissioner for deposit to the environmental protection
2 fund established pursuant to section ninety-two-s of the state finance
3 law.

4 § 8. The section heading, subdivision 1, and paragraphs (a), (b), (c),
5 (d), (e) and (f) of subdivision 2 of section 27-3311 of the environ-
6 mental conservation law, as added by chapter 795 of the laws of 2022,
7 are amended to read as follows:

8 Carpet and artificial turf stewardship advisory board.

9 1. There is hereby established within the department the carpet and
10 artificial turf stewardship advisory board to make recommendations to
11 the commissioner regarding producer plans required by this title.

12 (a) one representative of carpet or artificial turf producers;

13 (b) two representatives of carpet or artificial turf retailers;

14 (c) one representative of carpet or artificial turf recyclers;

15 (d) two representatives of carpet or artificial turf collectors;

16 (e) one representative of a company that utilizes discarded carpet or
17 artificial turf to manufacture a new product;

18 (f) one representative of a carpet or artificial turf installer asso-
19 ciation;

20 § 9. Section 27-3313 of the environmental conservation law, as amended
21 by chapter 82 of the laws of 2023, is amended to read as follows:

22 § 27-3313. Labeling and design requirements.

23 1. On and after one year after the plan is approved by the department
24 pursuant to section 27-3309 of this title, carpet or artificial turf
25 sold or offered for sale in the state shall be accompanied by the
26 following identifying information:

27 (a) Name of the producer and contact information; and

28 (b) Carpet or artificial turf material, composition, and type of
29 construction.

30 2. On and after December thirty-first, two thousand twenty-six, no
31 carpet or artificial turf sold or offered for sale in the state shall
32 contain or be treated with PFAS substances for any purpose.

33 § 10. The opening paragraph of section 27-3315 of the environmental
34 conservation law, as added by chapter 795 of the laws of 2022, is
35 amended to read as follows:

36 All carpet and artificial turf sold in the state shall be manufactured
37 with the following minimum amounts from post-consumer sources:

38 § 11. Section 27-3319 of the environmental conservation law, as added
39 by chapter 206 of the laws of 2025, is amended to read as follows:

40 § 27-3319. Limits on liability for antitrust, restraint of trade, or
41 unfair trade practices.

42 1. A producer, representative organization, or retailer shall not be
43 liable for any claim of a violation of antitrust, restraint of trade, or
44 unfair trade practice laws arising from the performance of an action
45 required to be undertaken by this title or which is necessary to imple-
46 ment or participate under a producer plan approved by the department,
47 solely to increase the collection and recycling of carpet or artificial
48 turf, which affects the types and quantities being collected and recy-
49 cled or the cost and structure of such collection program that the
50 producer, representative organization, or retailer is participating in
51 pursuant to this title.

52 2. Provided, however, subdivision one of this section shall not apply
53 to any agreement establishing or affecting the price of carpet or arti-
54 ficial turf, except, as necessary, to fulfill producer responsibility
55 under subdivision five of section 27-3305 of this title, the output or

1 production of carpet or artificial turf, or restricting the geographic
2 area or customers to which carpet or artificial turf will be sold.
3 § 12. This act shall take effect immediately.