

STATE OF NEW YORK

10211

IN SENATE

May 5, 2026

Introduced by Sen. FAHY -- 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 establishing a deposit and recycling program for wine containers and liquor containers

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

1 Section 1. Subdivision 9 of section 27-1003 of the environmental
2 conservation law, as amended by section 3 of part SS of chapter 59 of
3 the laws of 2009, is amended and eight new subdivisions 14, 15, 16, 17,
4 18, 19, 20 and 21 are added to read as follows:

5 9. "Redemption center" means any person, firm or corporation who:

6 (a) is offering to pay the refund value of an empty beverage container
7 to a redeemer, or any person who contracts with one or more dealers or
8 distributors to collect, sort and obtain the refund value and handling
9 fee of empty beverage containers for, or on behalf of, such dealer or
10 distributor under the provisions of section 27-1013 of this title; or

11 (b) has entered into an agreement with the department under section
12 27-1025 of this title to accept empty wine containers and liquor
13 containers for which a deposit was paid in the state and pay applicable
14 refund values; provided, however, that a person, firm or corporation who
15 has entered into such an agreement shall not be required to accept
16 beverage containers unless otherwise required under this title.

17 14. "Wine" shall have the same meaning as defined by subdivision thir-
18 ty-six of section three of the alcoholic beverage control law.

19 15. "Wine container" means the individual, separate, sealed glass,
20 metal, aluminum, steel, paper or plastic bottle, can, jar, pouch, blad-
21 der, or box, or other container, regardless of the material type from
22 which the wine container is made, used for containing less than one
23 gallon or 3.78 liters of wine intended for use or consumption in this
24 state.

25 16. "Liquor" shall have the same meaning as defined by subdivision
26 nineteen of section three of the alcoholic beverage control law.

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

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1 17. "Liquor container" means the individual, separate, sealed glass,
2 metal, aluminum, steel, paper or plastic bottle, can, jar, pouch, blad-
3 der, or box, or other container, regardless of the material type from
4 which the liquor container is made, used for containing less than one
5 gallon or 3.78 liters of liquor intended for use or consumption in this
6 state.

7 18. "Wine or liquor deposit originator" means an entity licensed under
8 section seventy-eight or section sixty-two of the alcoholic beverage
9 control law, or any other entity licensed under such law to sell wine or
10 liquor that has not purchased such wine or liquor from such licensees.

11 19. "Brand owner" means the entity or individual that owns the brand
12 or trade name of a wine, liquor or beverage produced for sale.

13 20. "Recovery and recycling" means any method or technique utilized to
14 separate, process, modify, convert, treat, or otherwise prepare wine
15 containers and/or liquor containers that may be used as recycled materi-
16 al products, raw materials or energy products.

17 21. "Recovered materials" means the recycled material products, raw
18 materials or energy products derived from recovery and recycling.

19 § 2. The environmental conservation law is amended by adding seven new
20 sections 27-1021, 27-1023, 27-1025, 27-1027, 27-1029, 27-1031 and
21 27-1033 to read as follows:

22 § 27-1021. Deposit on wine containers and liquor containers.

23 1. No person shall sell or offer for sale a wine container or liquor
24 container in this state on or after April first, two thousand thirty
25 unless the deposit on such container has been collected by the wine or
26 liquor deposit originator and such container has a refund value of five
27 cents for containers of less than twenty-four ounces and ten cents for
28 containers of at least twenty-four ounces.

29 2. This section shall apply only to wine containers or liquor contain-
30 ers that are placed in the stream of commerce on or after April first,
31 two thousand thirty.

32 § 27-1023. Labeling of wine containers and liquor containers.

33 1. Every wine container and liquor container larger than fifty milli-
34 liters sold in this state on or after April first, two thousand thirty,
35 except such wine containers and liquor containers filled and labeled
36 before January first, two thousand thirty, shall have a legible, indeli-
37 ble, and easily visible marking that indicates such container has a
38 refund value. Such marking shall:

39 (a) (i) state "New York" or "NY" and the redemption value or the
40 phrase "redemption value" or "RV"; and

41 (ii) be placed anywhere on the container body or, for metal contain-
42 ers, on the top; or

43 (b) (i) state a message such as "refund value information" or "RV
44 info" alongside a uniform resource locator (URL) or a scan code, quick
45 response (QR) code, universal product code, or similar machine-readable
46 indicia that links to a website that provides reasonable access to the
47 refund information; and

48 (ii) be placed anywhere on the container body.

49 2. Marking under this section of a wine container or liquor container
50 may be made in any font and by any method including, but not limited by,
51 painting, printing, scratch embossing, raised letter embossing, perma-
52 nent ink jetting, laser coding, etching, or any other method.

53 3. Marking under this section of a wine container or liquor container
54 shall be the responsibility of the person or entity that bottles, cans,
55 fills, or otherwise packages such container, or, in the case of a prod-

1 uct not so packaged within the United States, the person or entity that
2 first sells or offers such product for sale in this state.

3 4. A website providing reasonable access to refund information under
4 this section may provide the refund information alongside other product
5 information. Any such website shall not be required to focus singularly
6 on refund information.

7 § 27-1025. Redemption of wine containers and liquor containers.

8 1. A licensee under section sixty-three or section seventy-nine of the
9 alcoholic beverage control law shall not be required to accept empty
10 wine containers or liquor containers.

11 2. A redemption center may enter into an agreement with the department
12 to accept, via any collection mechanism, empty wine containers and
13 liquor containers for which a deposit was paid in the state of New York
14 and pay applicable refund values.

15 3. The commissioner shall negotiate handling fees to be paid to the
16 operators of redemption centers for wine containers and liquor contain-
17 ers. Payment of such handling fee shall be compensation for collecting
18 and processing of empty wine containers or liquor containers for trans-
19 port back to material buyers or locations designated by the department.
20 Handling fees for individual redemption centers may vary based on
21 collection mechanism utilized, local redemption needs, and local obsta-
22 cles to providing redemption.

23 4. No person shall return or assist another to return to a redemption
24 center an empty wine container or an empty liquor container if a deposit
25 was not paid for such wine container or liquor container in the state of
26 New York or if such wine container or liquor container had previously
27 been accepted for redemption by a redemption center.

28 5. A redemption center shall not be required to pay a refund on a wine
29 container or liquor container that:

30 (a) is visibly containing or contaminated by a substance other than
31 water, residue of the original contents, or ordinary dust;

32 (b) is broken or damaged to the extent that the brand appearing on the
33 container cannot be identified; or

34 (c) the redemption center has reasonable grounds to believe is fraudu-
35 lently presented for a refund.

36 § 27-1027. Wine container and liquor container recycling program.

37 1. The department shall establish a wine container and liquor contain-
38 er recycling program to encourage the redemption of wine containers and
39 liquor containers and the recycling of materials from such containers.

40 2. All deposits collected under section 27-1021 of this title and all
41 revenues received from the sale of recovered materials under section
42 27-1031 of this title shall be used for the purposes of the wine
43 container and liquor container recycling program.

44 3. Such program shall include but not be limited to the following
45 activities:

46 (a) using funding from deposits collected by wine or liquor deposit
47 originators to reimburse redemption centers for deposit amounts paid and
48 pay handling fees as compensation to redemption centers;

49 (b) developing and implementing a plan to ensure sufficient and
50 convenient redemption opportunities for wine containers and liquor
51 containers across the state of New York, using locally appropriate
52 collection mechanisms provided by redemption centers which shall receive
53 negotiated handling fees as compensation for collecting and processing
54 of empty wine containers or liquor containers for transport to recovered
55 material buyers or locations designated by the department;

1 (c) investigation and research into market potential and feasibility
2 for increased utilization of recycled and redeemed wine containers and
3 liquor containers including the recovery and recycling of materials from
4 such containers;

5 (d) the department may provide financial assistance to entities for
6 the recycling of materials from redeemed wine containers and liquor
7 containers;

8 (e) the department may provide operating grants to enhance consumer
9 convenience for redemption;

10 (f) the department shall investigate efforts to fraudulently collect
11 deposit refunds for wine containers and liquor containers and take steps
12 to prevent such activity, including coordination with redemption centers
13 and law enforcement;

14 (g) the department may assess a penalty on a person that fraudulently
15 requests deposit refunds for wine containers or liquor containers;
16 provided that the amount of such penalty shall be twice the amount of
17 money the person received from the fraudulent request in violation of
18 this chapter, or five hundred dollars, whichever is greater;

19 (h) the department may enter into contracts with public and private
20 entities to establish and operate redemption infrastructure and process
21 and transport collected materials;

22 (i) the department may hire full- or part-time staff or contract
23 employees to support administration and oversight of the wine container
24 and liquor container recycling program, including brand owner and wine
25 or liquor deposit originator reporting, accounting for material flows,
26 accounting for deposits and financial flows, contract oversight, and
27 addressing fraud; and

28 (j) the department may terminate a contract with a redemption center
29 that is not taking appropriate action to prevent fraud.

30 4. The department shall establish regional container recycling zones
31 to accommodate the diverse needs of recycling for consumers and the
32 convenience of redemption of containers in urban, suburban and rural
33 areas of the state.

34 5. The department shall publish information, application forms, proce-
35 dures and guidelines relating to the program on its website and in a
36 manner that is accessible to the public.

37 6. On or before March first, two thousand thirty-one and annually
38 thereafter, the department shall submit to the governor, the temporary
39 president of the senate and the speaker of the assembly a report regard-
40 ing the program. Such report shall include the redemption rate for wine
41 containers and liquor containers for which a deposit was paid in the
42 state of New York, the geographic distribution of redemption centers
43 accepting wine containers and liquor containers and any other informa-
44 tion determined useful in evaluating the benefits of the activities of
45 the program. In addition, the report shall include the efforts of the
46 department and accomplishments in promoting the recovery and recycling
47 of materials from such containers.

48 § 27-1029. Wine or liquor deposit originators.

49 1. Wine or liquor deposit originators shall pay to the department all
50 deposits collected pursuant to section 27-1021 of this title.

51 2. Wine or liquor deposit originators shall report to the department
52 necessary information about the quantity, size, and material type of
53 wine containers and liquor containers for which a deposit was paid in
54 the state of New York, at a frequency and by a date to be determined by
55 the department. All information submitted pursuant to this subdivision
56 shall be treated as confidential by the department and shall not be

disclosed, except to redemption centers as necessary to enable the efficient provision of redemption services, to third parties under contract with or engaged in negotiations with the department as necessary to enable the efficient pickup and transportation of recovered materials, or in the aggregate form in a report required under subdivision six of section 27-1027 of this title.

3. Wine or liquor deposit originators shall report to the department necessary identifying information, which may include but is not limited to barcodes and universal product codes, for wine containers and liquor containers for which a deposit was paid in the state of New York for the first time.

4. The department shall maintain an account for all deposits collected pursuant to section 27-1021 of this title and all revenue received from the sale of recovered materials under section 27-1031 of this title.

§ 27-1031. Pickup and recycling of redeemed wine containers and liquor containers.

1. The department shall be deemed the owner of all empty wine containers and liquor containers accepted by redemption centers under this title and shall sell the recovered materials to fund the program established under section 27-1027 of this title.

2. All revenue received from the sale of recovered materials shall be used to fund the program established under section 27-1027 of this title, including payment of handling fees to redemption centers and payment to third parties for transporting recovered materials.

3. Brand owners shall have right of first refusal to buy recovered materials from the department.

4. The department shall contract with third parties to pick up returned wine containers, liquor containers and other recovered materials from redemption centers and for transport to material buyers or locations designated by the department.

§ 27-1033. Packaging material or material.

Wine containers and liquor containers shall not be considered packaging material or packaging. Wine or liquor deposit originators or brand owners shall not be required to undertake any additional packaging reduction and recycling.

§ 3. Section 27-1013 of the environmental conservation law is amended by adding a new subdivision 5 to read as follows:

5. Notwithstanding any other provision of this title to the contrary, redemption centers may accept for redemption wine containers and liquor containers in accordance with sections 27-1025, 27-1027, 27-1029 and 27-1031 of this title.

§ 4. The commissioner of environmental conservation and the commissioner of the state liquor authority shall promulgate rules and regulations necessary for the administration of this act.

§ 5. This act shall take effect April 1, 2030. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.