

STATE OF NEW YORK

10638

IN SENATE

June 1, 2026

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the environmental conservation law, in relation to enacting the "washing our clothes without polluting our water act"

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 "washing our clothes without polluting our water act".

3 § 2. Article 17 of the environmental conservation law is amended by
4 adding a new title 23 to read as follows:

TITLE 23

WASHING MACHINE MICROFIBER FILTRATION

Section 17-2301. Definitions.

5 17-2303. Producer plan.

6 17-2305. Producer responsibilities.

7 17-2307. Retailer responsibilities.

8 17-2309. Commercial laundry service responsibilities.

9 17-2311. Department responsibilities.

10 17-2313. Washing machine microfiber filtration advisory board.

11 17-2315. Penalties and enforcement.

12 17-2317. Rules and regulations.

§ 17-2301. Definitions.

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

15 1. "Brand" means a name, symbol, word, or mark that attributes a wash-
16 ing machine to the owner or licensee of the brand as the producer.

17 2. "Consumer" means a person located in the state who purchases, owns,
18 leases, or uses a washing machine, including but not limited to an indi-
19 vidual, a business, corporation, limited partnership, not-for-profit
20 corporation, the state, a public corporation, public school, school
21 district, private or parochial school, or board of cooperative educa-
22 tional services or governmental entity.

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

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1 3. (a) "Commercial laundry service" means: (i) a facility that uses
2 washing machines to provide laundry services to the general public or to
3 commercial clients, including but not limited to hotels, hospitals,
4 restaurants, gyms and retail laundries; or (ii) a facility using four or
5 more washing machines to provide laundry services maintained or operated
6 in connection with any commercial institution, including but not limited
7 to any hotel, restaurant, gym or hospital.

8 (b) "Commercial laundry service" does not include the laundry facili-
9 ties of any residential dwelling intended for use exclusively by the
10 owners, tenants or occupants of such dwelling or facilities exclusively
11 offering self-service washing machines for direct use by the general
12 public.

13 4. "Laundry" means clothing, apparel, sheets, towels, linens and other
14 fabrics that are washed in a washing machine.

15 5. "Laundry service" means using washing machines to wash laundry for
16 a fee, and includes such services when they are provided along with or
17 as an incident to the rental of clothing, apparel or other fabrics.

18 6. "Microfiber filtration system" means a filter or other feature, or
19 a series of filters or other features (a) built into a washing machine;
20 (b) packaged, sold, and installed with a washing machine; or (c)
21 installed for one or more washing machines used by a commercial laundry
22 service, that removes fibers and microfibers from water used across all
23 washing cycles.

24 7. "Performance standards" means a set of standards approved by the
25 department, pursuant to paragraphs (a) and (b) of subdivision one of
26 section 17-2311 of this title.

27 8. "Producer" means any person who manufactures a washing machine that
28 is sold, offered for sale, or distributed in the state under the
29 manufacturer's own name or brand including:

30 (a) the owner of a trademark or brand under which a washing machine is
31 sold, offered for sale, or distributed in this state, whether or not
32 such trademark or brand is registered in the state; and

33 (b) any person who imports a washing machine into the United States
34 that is sold or offered for sale in the state and that is manufactured
35 by a person who does not have a presence in the United States.

36 9. "Retailer" means any person in the business of selling or offering
37 for sale a washing machine to a consumer in the state.

38 10. "Sell" or "sale" means any transfer for consideration of title or
39 the right to use, from a manufacturer or retailer to a person, includ-
40 ing, but not limited to, transactions conducted through retail sales
41 outlets, catalogs, mail, the telephone, the internet, or any electronic
42 means. "Sell" or "sale" does not include donation of washing machines.

43 11. "Testing standards" means a set of standards approved by the
44 department, pursuant to paragraphs (a) and (c) of subdivision one of
45 section 17-2311 of this title.

46 12. "Washing machine" or "machine" means a machine designed and used
47 for washing clothing, apparel, sheets, towels, linens and other fabrics.
48 § 17-2303. Producer plan.

49 1. No later than January first, two thousand thirty-one, a producer
50 shall submit to the department for the department's approval a plan to
51 ensure that sales of its washing machines in this state shall meet the
52 requirements of this title.

53 2. A producer shall submit an updated plan to the department for the
54 department's approval:

55 (a) No later than three years after the most recent date on which the
56 department approved such producer's plan;

1 (b) any time the producer intends to change the brands or models sold
2 by the producer in this state, the brands or models of machines sold
3 with microfiber filtration systems in the state, or the types of micro-
4 fiber systems included with machines sold in the state; or

5 (c) based on any other criteria promulgated by the department.

6 3. The plan submitted by a producer to the department under this
7 section shall, at a minimum:

8 (a) provide a list of brands covered by the plan;

9 (b) describe the methods to be used to meet the microfiber filtration
10 system standard for machines sold in this state and which brands and
11 models will include microfiber filtration systems that meet the perform-
12 ance standards;

13 (c) describe the testing methods to be used, consistent with the test-
14 ing standards set by the department, and who shall conduct testing on
15 behalf of the producer;

16 (d) describe how the plan will meet annual requirements for the
17 proportion of machines to be sold with microfiber filtration systems, as
18 determined by the department pursuant to subdivision two of section
19 17-2311 of this title;

20 (e) describe what, if any, incentives will be used to encourage
21 retailer participation in selling washing machines equipped with micro-
22 fiber filtration systems in the state;

23 (f) describe the outreach and education methods that will be used to
24 educate consumers about the purpose and function of microfiber filtra-
25 tion systems sold with the producer's washing machines;

26 (g) describe the sources of data and methodology for estimating the
27 percent of all of the producer's machines sold in the state each year
28 with microfiber filtration systems; and

29 (h) include any other information specified by the department.

30 § 17-2305. Producer responsibilities.

31 1. Beginning January first, two thousand thirty-one, no producer shall
32 sell, or offer for sale, a washing machine to any person in the state
33 unless such producer has submitted the producer plan required pursuant
34 to section 17-2303 of this title. Beginning January first, two thousand
35 thirty-two, no producer shall sell, or offer for sale, a washing machine
36 to any person in the state unless such plan has been approved by the
37 department.

38 2. A producer shall maintain records demonstrating compliance with the
39 provisions of this title and make them available for audit and
40 inspection by the department for a period of three years. The department
41 shall make such records available to the public upon request in accord-
42 ance with the provisions of the state freedom of information law and the
43 regulations promulgated thereunder. Record holders shall submit the
44 records required to comply with the request within sixty working days of
45 written notification by the department of receipt of the request.

46 3. A producer shall be responsible for all costs associated with the
47 implementation of the requirements of this title, including but not
48 limited to the cost of testing, verifying, and auditing to determine
49 that microfiber filtration systems sold with a producer's washing
50 machines meet the required filtration standard. A producer shall pay
51 costs incurred by the department in the administration and enforcement
52 of this title. Exclusive of fines and penalties, the department shall
53 only be reimbursed its actual cost of administration and enforcement.

54 4. (a) All new washing machines sold for residential use in the state
55 with a microfiber filtration system on or after January first, two thou-
56 sand thirty-two shall bear a conspicuous sticker or other label that is

1 visible to the consumer and that includes the following statement:
2 "Notice: This washing machine includes a filtration system to capture
3 microfibers and prevent water pollution." Such statement shall be
4 followed by instructions regarding the manner and frequency with which
5 the consumer should check the system's filters or other features and
6 dispose of any fibers or microfibers captured.

7 (b) All new washing machines sold for commercial use in the state with
8 a microfiber filtration system on or after January first, two thousand
9 thirty-two shall contain the sticker or other label described in para-
10 graph (a) of this subdivision, however such sticker or other label may
11 be placed in a location that is not visible to users of such commercial
12 washing machine.

13 5. Any person who becomes a producer on or after January first, two
14 thousand thirty shall submit a plan to the department for approval prior
15 to selling or offering for sale in the state any machine, and shall
16 comply with the requirements of this title.

17 6. On or before April first, two thousand thirty-three, and annually
18 thereafter, a producer shall submit a report to the department that
19 includes, for the previous program year, a description of the program,
20 and the following:

21 (a) the number of washing machines sold in the state under each brand,
22 the number of such machines sold with a microfiber filtration system,
23 and number of each type of microfiber filtration system, as identified
24 in the producer plan;

25 (b) the total cost of implementing requirements of this title;

26 (c) samples of all educational materials provided to consumers and a
27 detailed list of efforts undertaken and an evaluation of the methods
28 used to disseminate such materials including recommendations, if any,
29 for how the educational component of the program can be improved; and

30 (d) any other information required by the department.

31 § 17-2307. Retailer responsibilities.

32 Beginning January first, two thousand thirty-two, no retailer shall
33 sell or offer for sale a washing machine in the state unless the produc-
34 er of such washing machine has submitted a producer plan that has been
35 approved by the department. A retailer shall be in compliance with this
36 section if, on the date the washing machine is offered for sale, the
37 producer is listed on the department's website as implementing an
38 approved plan or if the washing machine brand is listed on the depart-
39 ment's website as being covered by an approved plan.

40 § 17-2309. Commercial laundry service responsibilities.

41 On or after the first of January, two thousand thirty-two, no commer-
42 cial laundry service shall operate without a microfiber filtration
43 system for all washing machines in use. A commercial laundry service may
44 comply with this section by using machines with microfiber filtration
45 systems built in, by installing external microfiber filtration systems
46 that serve one or more machines, or by a combination of internal or
47 external microfiber filtration systems.

48 § 17-2311. Department responsibilities.

49 1. (a) (i) By January first, two thousand twenty-nine, the department
50 shall promulgate microfiber filtration system performance standards and
51 microfiber filtration system testing standards, for microfiber filtra-
52 tion systems: (1) built into a washing machine; (2) packaged, sold, and
53 installed with a washing machine; or (3) installed for one or more wash-
54 ing machines used by a commercial laundry service.

55 (ii) Such performance standards under subparagraph (i) of this para-
56 graph shall be made by the department in consultation with the washing

1 machine microfiber filtration advisory board, and shall be updated no
2 less frequently than every three years. Such standards may conform with
3 standards established by the American National Standards Institute.

4 (b) The performance standards shall set forth the effectiveness micro-
5 fiber filtration systems shall achieve in removing fibers and microfi-
6 bers that are ten micrometers or larger, or a smaller size the depart-
7 ment deems appropriate, from water used across all washing cycles in
8 order to comply with the provisions of this title.

9 (c) The testing standards shall set forth one or more testing methods
10 the department deems effective at determining whether a microfiber
11 filtration system meets the performance standards.

12 2. The department in consultation with the washing machine microfiber
13 filtration advisory board shall set annual requirements for number of
14 machines to be sold with microfiber filtration systems for each year,
15 provided that at a minimum:

16 (i) ten percent of all of each producer's machines sold in the state
17 in two thousand thirty-two shall be equipped with microfiber filtration
18 systems;

19 (ii) fifty-five percent of all of each producer's machines sold in the
20 state in two thousand thirty-four shall be equipped with microfiber
21 filtration systems; and

22 (iii) one hundred percent of all of each producer's machines sold in
23 the state in two thousand thirty-six and in any year thereafter shall be
24 equipped with microfiber filtration systems.

25 3. The department shall maintain a list of producers who have submit-
26 ted a producer plan that has been approved by the department pursuant to
27 section 17-2303 of this title;

28 (a) maintain a list of each such producer's brands; and

29 (b) post such lists on the department's website.

30 4. The department shall post on its website each producer plan
31 approved by the department.

32 5. Within ninety days after receipt of a proposed plan or plan amend-
33 ment, the department shall approve or reject the plan or the plan amend-
34 ment. If the plan or plan amendment is approved, the department shall
35 notify the producer in writing. If the department rejects the plan or
36 plan amendment, the department shall notify the producer or represen-
37 tative organization in writing stating the reason for rejecting the plan
38 or plan amendment. A producer whose plan is rejected shall submit a
39 revised plan to the department within thirty days of receiving a notice
40 of rejection. If the department rejects the subsequent proposal, the
41 producer or producers at issue shall be out of compliance and subject to
42 enforcement provisions.

43 6. The department shall submit a report regarding the implementation
44 of this title to the governor and legislature by July first, two thou-
45 sand twenty-nine and every year thereafter through two thousand thirty-
46 nine. The report shall, at a minimum, include:

47 (a) a description of the performance standards and testing standards
48 promulgated by the department, and any changes in such standards since
49 the preceding report;

50 (b) a summary of the methods included in approved plans by which
51 producers indicated they intended to meet such performance standards;

52 (c) the annual requirements for numbers of machines to be sold with
53 microfiber filtration systems, as determined by the department, pursuant
54 to paragraph (d) of subdivision three of section 17-2303 of this title;

55 (d) after January thirty-first, two thousand thirty-two, the total
56 number and the number for each brand of washing machines sold in the

1 state, the total number and the number for each brand of machines sold
2 with a microfiber filtration system, and the total number and the number
3 for each brand of each type of microfiber filtration system;

4 (e) an evaluation of the extent to which each producer is complying
5 with the requirements of this title and a discussion of enforcement
6 related to the requirements of this title;

7 (f) the total cost of implementing requirements of this title; and

8 (g) recommendations for any changes to this title.

9 § 17-2313. Washing machine microfiber filtration advisory board.

10 1. There is hereby established within the department the washing
11 machine microfiber filtration advisory board to make recommendations to
12 the commissioner regarding implementation of the requirements of this
13 title.

14 2. The board shall be composed of eleven voting members. Such members
15 shall include:

16 (a) two representatives of washing machine producers;

17 (b) one representative of washing machine retailers;

18 (c) two members with expertise in microfiber filtration technology who
19 have not been employed or otherwise compensated in the preceding three
20 years by any washing machine producer, commercial laundry service, or
21 retailer subject to the requirements of this title;

22 (d) one representative of operators of municipal wastewater systems;

23 (e) one representative of operators of facilities that use washing
24 machines to provide laundry services to commercial clients or to provide
25 laundry services maintained or operated in connection with commercial
26 institutions;

27 (f) one representative of retail laundry services;

28 (g) two representatives of statewide or national environmental organ-
29 izations; and

30 (h) one representative of a consumer organization.

31 3. The members shall be appointed as follows:

32 (a) two members to be appointed by the temporary president of the
33 senate;

34 (b) two members to be appointed by the speaker of the assembly;

35 (c) one member to be appointed by the minority leader of the senate;

36 (d) one member to be appointed by the minority leader of the assembly;
37 and

38 (e) five members to be appointed by the executive.

39 4. Such appointments shall be made no later than the first day of
40 March following the date on which this title takes effect. The members
41 shall designate a chair from among the members by majority vote. Board
42 members shall receive no compensation but shall be entitled to their
43 necessary and actual expenses incurred in carrying out their board
44 duties.

45 5. The board shall meet at least biannually by call of the chair.

46 § 17-2315. Penalties and enforcement.

47 1. Any producer, retailer, or commercial laundry service that violates
48 any provision of or fails to perform any duty imposed pursuant to this
49 title shall be liable for a civil penalty not to exceed five hundred
50 dollars for each violation and an additional penalty of not more than
51 five hundred dollars for each day during which such violation continues.
52 Civil penalties shall be assessed by the department after a hearing or
53 opportunity to be heard pursuant to the provisions of section 71-1709 of
54 this chapter, or shall be assessed by the court in any action or
55 proceeding pursuant to this section. In addition to any civil penalties,

1 any producer, retailer, or commercial laundry service may by similar
2 process be enjoined from continuing such violation.

3 2. In a city with a population of one million or more, such city
4 shall, in addition to any authority otherwise conferred in this chapter,
5 have concurrent authority to enforce, by an agency or agencies desig-
6 nated for such purpose by the mayor of such city, the provisions of
7 section 17-2309 of this title. Any notice of violation issued by an
8 agency designated by the mayor of such city charging a violation of
9 section 17-2309 of this title shall be returnable to the environmental
10 control board of such city. Such environmental control board shall have
11 the power to impose the civil penalties set forth in subdivision one of
12 this section. All civil penalties collected for any violation of this
13 title that have been imposed by the environmental control board of such
14 city shall be paid into the general fund of such city. Such city shall
15 share information with the department regarding enforcement, including
16 notices of violation issued and penalties imposed and collected for
17 violations in such city.

18 § 17-2317. Rules and regulations.

19 The department is authorized to promulgate any rules and regulations
20 it deems necessary to implement this title.

21 § 3. Section 71-1701 of the environmental conservation law, as amended
22 by chapter 795 of the laws of 2022, is amended to read as follows:

23 § 71-1701. Applicability of this title.

24 This title shall be applicable to the enforcement of title 35 of arti-
25 cle 15; titles 1 through 11 and titles 15 through 19 of article 17;
26 article 19; and titles 1 and 33 of article 27.

27 § 4. This act shall take effect immediately.