STATE OF NEW YORK

3912

2025-2026 Regular Sessions

IN SENATE

January 30, 2025

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Procurement and Contracts

AN ACT to amend the state finance law, in relation to prohibiting the purchase of single-use plastic products by state agencies

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

Section 1. Section 165 of the state finance law is amended by adding a new subdivision 10 to read as follows:

10. Single-use plastic products. (a) For the purposes of this subdivision:

(i) "Single use plastic product" shall mean plastic items intended to be disposed of immediately after use, including plastic and polystyrene food and beverage containers, bottles, straws, cups, cutlery, and disposable plastic bags.

(ii) "State agency" 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. State agency shall include the state university of New York and the city university of New York.

(b) (i) Beginning January first, two thousand thirty, a state agency shall not purchase any single-use plastic products to be used at any event, briefing, and meetings hosted or sponsored by such state agency.

(ii) Beginning January first, two thousand thirty-five, a state agency shall not purchase any single-use plastic products.

(c) Nothing in this subdivision shall be construed to prevent the purchase of single-use plastic products by a state agency under the following circumstances:

(i) when no alternative is available or practicable;

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

LBD06281-01-5

(ii) when necessary to protect the health, safety, and welfare of residents of the state;

(iii) when compliance with this section would conflict with contract requirements or labor agreements in existence as of the effective date of this section or agreements solicited before the effective date of this section;

(iv) to prepare for or respond to an emergency; or

(v) when necessary to provide for disability or accessibility related accommodations.

§ 2. This act shall take effect immediately.