STATE OF NEW YORK

759

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. HARCKHAM -- 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 expanding the food donation and food scraps recycling program; and to amend a chapter of the laws of 2024 amending the environmental conservation law relating to expanding the food donation and food scraps recycling program, as proposed in legislative bills numbers S. 5331-A and A. 5906-A, in relation to the effectiveness thereof

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

Section 1. Subdivision 1 of section 27-2201 of the environmental conservation law, as amended by a chapter of the laws of 2024 amending the environmental conservation law relating to expanding the food donation and food scraps recycling program, as proposed in legislative bills numbers S. 5331-A and A. 5906-A, is amended to read as follows:

1. "Designated food scraps generator" means a person who generates at a single location an annual average of two tons per week or more of food scraps between January first, two thousand twenty-three and December thirty-first, two thousand [~~twenty-five~~] twenty-six, an annual average of one ton per week or more of food scraps between January first, two thousand [~~twenty-six~~] twenty-seven and December thirty-first, two thousand [~~twenty-seven~~] twenty-eight, and an annual average of one-half ton per week or more of food scraps beginning January first, two thousand [~~twenty-eight~~] twenty-nine and thereafter based on a methodology established by the department pursuant to regulations, including, supermarkets, large food service businesses, higher educational institutions, hotels, food processors, correctional facilities, and sports or entertainment venues. For a location with multiple independent food service businesses, such as a mall or college campus, the entity responsible for

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

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contracting for solid waste hauling services is responsible for managing food scraps from the independent businesses.

§ 2. Section 4 of a chapter of the laws of 2024 amending the environmental conservation law relating to expanding the food donation and food scraps recycling program, as proposed in legislative bills numbers S. 5331-A and A. 5906-A, is amended to read as follows:

§ 4. This act shall take effect immediately; provided, however, that section two of this act shall take effect January 1, [~~2026~~] 2027.

§ 3. This act shall take effect immediately, provided, however section one of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2024 amending the environmental conservation law relating to expanding the food donation and food scraps recycling program, as proposed in legislative bills numbers S. 5331-A and A. 5906-A, takes effect.