

S7167 HOYLMAN Same as [A 8979](#) Steck

ON FILE: 01/10/20 General Business Law

TITLE....Relates to reducing the use of PFAS chemicals in firefighting activities, and amending a chapter of the laws of 2019 in relation to the effectiveness thereof; repealer

01/10/20 REFERRED TO RULES

01/13/20 ORDERED TO THIRD READING CAL.91

01/23/20 PASSED SENATE

01/23/20 DELIVERED TO ASSEMBLY

01/23/20 referred to codes

02/03/20 substituted for a8979

02/03/20 ordered to third reading cal.374

02/03/20 passed assembly

02/03/20 returned to senate

04/17/20 DELIVERED TO GOVERNOR

04/29/20 SIGNED CHAP.88

HOYLMAN

Add §391-u, Gen Bus L; add §204-g, Gen Muni L; rpld §159-b, Exec L; amd §2, Chap of 2019 (as proposed in S.439-A & A.445-A)

Places restrictions on the sale and use of firefighting equipment containing PFAS chemicals to reduce the use of PFAS chemicals in firefighting activities; repeals certain provisions of the executive law related to reducing the use of PFAS chemicals in firefighting activities.

EFF. DATE 04/29/2020 (SEE TABLE)

**NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1**

BILL NUMBER: S7167

SPONSOR: HOYLMAN

TITLE OF BILL:

An act to amend the general business law and the general municipal law, in relation to reducing the use of PFAS chemicals in firefighting activities; to repeal certain provisions of the executive law relating thereto; and to amend a chapter of the laws of 2019, amending the executive law relating to reducing the use of PFAS chemicals in firefighting activities, as proposed in legislative bills numbers S. 439-A and A. 445-A, in relation to the effectiveness thereof

PURPOSE:

This is a chapter amendment that makes changes to provisions of L.2019, c.702.

SUMMARY OF PROVISIONS:

This legislation amends the underlying chapter by removing the ban on PFAS chemical foams and moving it into the General Business Law. In addition to moving the legislation to the General Business Law, the bill makes technical amendments to the definition of which foams are banned, as well as changing the circumstances of the exemption for when foams containing PFAS may be utilized to include not just fires involving flammable liquids but also ignitable liquids. The ban on the purchase and manufacturing of these foams would go into effect two years after the effective date. The Office of Fire Prevention will, every two years, examine whether any non-PFAS foams are available that would be effective and could substitute the use of PFAS foams in these circumstances. In addition, there is a new section of law added in the General Municipal Law banning the use of PFAS foams in training by fire departments.

JUSTIFICATION:

Pursuant to approval memo 61 of 2019, the Executive expressed concerns about the need to ensure that, while effective substitutes are not in existence, fire departments could continue to use PFAS containing foams in limited circumstances to deal with not only flammable liquid fires, but ignitable liquid fires. They expressed a need for language giving the Office of Fire Prevention periodic authority to determine whether effective alternatives for fighting these kinds of fire are available. This legislation is a negotiated change to the underlying chapter that addresses those concerns.

LEGISLATIVE HISTORY:

Chapter amendment to Chapter 702 of the Laws of 2019.

FISCAL IMPLICATIONS:

None

EFFECTIVE DATE:

This act shall take effect immediately, provided, however, that sections one, two and three of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the executive law relating to reducing the use of PFAS chemicals in firefighting

activities, as proposed in legislative bills numbers S.439-A and A.
445-A, takes effect.