



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

VETO #123

December 21, 2024

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bill:

Assembly Bill Number 9711, entitled:

“AN ACT to amend the state finance law, in relation to enacting the tropical rainforest economic & environmental sustainability act; and to amend the economic development law, in relation to establishing the supply chain transparency assistance program”

NOT APPROVED

This bill would expand the list of tropical hardwoods that State and local agencies and authorities are prohibited from purchasing. It would also establish a new obligation on vendors to certify that no part of the products they sell to State agencies and authorities originated on land where tropical deforestation occurred.

I vetoed a very similar bill in 2023. While certain changes have been made, many fundamental problems remain in this bill.

Through Executive Order 22, New York is leading by example, providing a powerful framework to drive sustainable procurement practices and environmental progress in the State. As I stated in 2023, the current law already bans certain tropical hardwoods and contains reasonable exemptions allowing these hardwoods to be used in limited circumstances. There is no evidence that State or local agencies have misused or abused any of the existing exemptions, and removing these exemptions in situations where no practical alternative materials are available would impose additional costs on State and local governments, potentially leading to cuts in important services.

Additionally, the bill’s extensive certification requirements would also impose significant burdens on businesses—particularly small businesses—that want to do business with the State. As I noted in last year’s veto message, every vendor that supplies a product that contains a forest-risk commodity such as palm oil, soy, beef, coffee, or cocoa would need to verify the exact location where those ingredients were grown in order to make that certification. Most businesses supplying products to the State are not manufacturers and do not have access to the supply chain information for every ingredient in their products. Moreover, there are not yet reliable third-party certifications that can effectively trace such ingredients through the supply chain. Imposing this burden on State vendors would put at risk important government operations, such as our ability to provide food to individuals in the care and custody of the State.

Therefore, I am constrained to veto this bill.

The bill is disapproved.