

1987--A

Cal. No. 662

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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Introduced by Sens. MARTINS, AVELLA, FUSCHILLO, RANZENHOFER, RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public health law, in relation to prohibiting smoking on hospital grounds and residential health care facilities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 2 of section 1399-o of the public health law,  
2     as added by chapter 389 of the laws of 2011, is amended to read as  
3     follows:  
4     2. Smoking shall not be permitted and no person shall smoke in the  
5     following outdoor areas:  
6     A. ticketing, boarding or platform areas of railroad stations operated  
7     by the metropolitan transportation authority or its subsidiaries.  
8     B. ON THE GROUNDS OF GENERAL HOSPITALS AND RESIDENTIAL HEALTH CARE  
9     FACILITIES AS DEFINED IN ARTICLE TWENTY-EIGHT OF THIS CHAPTER, WITHIN  
10    FIFTEEN FEET OF A BUILDING ENTRANCE OR EXIT OR WITHIN FIFTEEN FEET OF  
11    THE ENTRANCE TO OR EXIT FROM THE GROUNDS OF ANY SUCH GENERAL HOSPITAL OR  
12    RESIDENTIAL HEALTH CARE FACILITY. THIS SUBDIVISION SHALL NOT PROHIBIT  
13    SMOKING BY A PATIENT OR A VISITOR OR GUEST OF A PATIENT OF A RESIDENTIAL  
14    HEALTH CARE FACILITY IN A SEPARATE AREA ON THE GROUNDS DESIGNATED AS A  
15    SMOKING AREA BY THE RESIDENTIAL HEALTH CARE FACILITY, PROVIDED SUCH  
16    DESIGNATED SMOKING AREA IS NOT WITHIN THIRTY FEET OF ANY BUILDING STRUC-  
17    TURE (OTHER THAN A NON-RESIDENTIAL STRUCTURE WHOLLY CONTAINED WITHIN THE  
18    DESIGNATED SMOKING AREA), INCLUDING ANY OVERHANG, CANOPY, AWNING,  
19    ENTRANCE, EXIT, WINDOW, INTAKE OR EXHAUST.  
20    S 2. This act shall take effect on the ninetieth day after it shall  
21    have become a law.

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