S T A T E O F N E W Y O R K

4479

2009-2010 Regular Sessions

I N A S S E M B L Y

February 4, 2009

Introduced by M. of A. ESPAILLAT, DINOWITZ, ORTIZ, GREENE, PERALTA -- Multi-Sponsored by -- M. of A. CLARK, DIAZ -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to random testing of professional athletes for use of anabolic steroids

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

Section 1. The public health law is amended by adding a new section 3380-a to read as follows:

S 3380-A. RANDOM TESTING OF PROFESSIONAL ATHLETES FOR USE OF ANABOLIC STEROIDS. 1. THE COMMISSIONER SHALL ESTABLISH A COMPREHENSIVE PROGRAM FOR THE RANDOM TESTING OF PROFESSIONAL ATHLETES FOR THE PRESENCE OF ANABOLIC STEROIDS, AS DEFINED BY SUBDIVISION (H) OF SCHEDULE II OF SECTION THIRTY-THREE HUNDRED SIX OF THIS ARTICLE.

2. THE COMMISSIONER SHALL PROMULGATE REGULATIONS FOR GOVERNING THE IMPLEMENTATION OF THE RANDOM TESTING PROGRAM REQUIRED PURSUANT TO SUBDIVISION ONE OF THIS SECTION WHICH SHALL INCLUDE:

(A) THE ADMINISTRATION OF TESTING AT ANY SPORTS ARENA IN THE STATE OF NEW YORK, INCLUDING REQUIRING THAT A URINE COLLECTOR ARRIVE AT THE ATHLETE'S PLACE OF PRACTICE OR PLACE OF PLAY AND REQUIRE SUCH ATHLETE TO PRODUCE URINE IN THE PRESENCE OF THE COLLECTOR;

(B) THE NECESSARY PENALTIES FOR AN ATHLETE WITH THE PRESENCE OF ANABOLIC STEROIDS IN THEIR BLOODSTREAM, INCLUDING THE BANNING OF AN ATHLETE FROM PLAY WITHIN NEW YORK STATE FOR SIX MONTHS UPON THE FIRST FINDING OF ANABOLIC STEROIDS IN THE BLOODSTREAM OF SUCH ATHLETE AND THE BANNING OF AN ATHLETE FROM PLAY WITHIN NEW YORK STATE FOR ONE YEAR UPON A SECOND FINDING OF ANABOLIC STEROIDS IN THE BLOODSTREAM OF SUCH ATHLETE; AND

(C) ANY OTHER RULES AND REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION.

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

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S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.