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

4700

2009-2010 Regular Sessions

I N  A S S E M B L Y

February 5, 2009

Introduced by M. of A. WEISENBERG, CLARK, TOWNSEND, KOLB, JOHN, RAMOS, MILLMAN, BARRA, GALEF, COOK, CALHOUN -- Multi-Sponsored by -- M. of A. ALFANO, BURLING, COLTON, EDDINGTON, ERRIGO, FINCH, FITZPATRICK, KOON, McENENY, MILLER, ORTIZ, PHEFFER, P. RIVERA, SWEENEY, TOWNS -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to public safety at concerts and performances

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

Section 1. The labor law is amended by adding a new section 476 to read as follows:

S 476. PUBLIC SAFETY AT CONCERTS AND PERFORMANCE SITES. 1. DEFINITION. FOR THE PURPOSE OF THIS SECTION, A "CONCERT OR PERFORMANCE SITE" MEANS A SITE WHERE ONE HUNDRED OR MORE PERSONS ASSEMBLE AS AN AUDIENCE FOR THE PURPOSE OF A CONCERT OR OTHER MUSICAL OR THEATRICAL PERFORMANCE, INCLUDING A CONCERT HALL, RECITAL HALL, THEATRE, INDOOR AND OUTDOOR AMPHITHEATRE, AUDITORIUM, HALLS OWNED BY CHURCHES, RELIGIOUS ORGANIZATIONS, GRANGES, PUBLIC ASSOCIATIONS, PUBLIC LIBRARIES AS DEFINED BY SECTION TWO HUNDRED FIFTY-THREE OF THE EDUCATION LAW, OR OTHER FACILITIES FOR PERFORMANCE OF SPORTING EVENTS OR ROCK AND/OR RAP MUSICAL RENDITIONS OWNED AND USED BY PUBLIC AND NON PUBLIC PRIMARY AND SECONDARY SCHOOLS AND BOARDS OF COOPERATIVE EDUCATIONAL SERVICES.

2. SAFETY PROVISIONS. THE OWNER OF A CONCERT OR PERFORMANCE SITE, OR HIS OR HER AGENT, SHALL:

A. IMMEDIATELY PRIOR TO ANY CONCERT OR PERFORMANCE, NOTIFY THE AUDIENCE MEMBERS OF ALL EMERGENCY EXITS FOR THE PURPOSE OF A SAFE AND EXPEDITIOUS EGRESS FROM THE SITE IN THE EVENT OF A FIRE OR OTHER EMERGENCY;

B. MAINTAIN DIRECTIONAL SIGNS, WHICH SHALL BE ADEQUATELY ILLUMINATED SO THAT THEY ARE VISIBLE AT ALL TIMES, FOR THE PURPOSE OF DIRECTING AUDIENCE MEMBERS TO EXITS; AND

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

LBD06814-01-9

C. MAINTAIN A CROWD CONTROL PLAN WHICH INCLUDES, BUT IS NOT LIMITED TO, EVACUATION PROCEDURES IN THE EVENT OF AN EMERGENCY.

3. PENALTY. ANY OWNER WHO IS FOUND TO HAVE VIOLATED THE PROVISIONS OF SUBDIVISION TWO OF THIS SECTION MUST PAY A FINE OF FIVE HUNDRED DOLLARS.

S 2. Section 474-a of the labor law, as amended by chapter 288 of the laws of 1988, is amended to read as follows:

S 474-a. Application to New York city and other cities. This article, except for section four hundred seventy-five AND SECTION FOUR HUNDRED SEVENTY-SIX, shall not apply to the city of New York, or to other cities having a bureau of buildings which is charged with the duty of enforcing a building code enacted by the legislative body of such city.

S 3. This act shall take effect immediately.