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

5545

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. TITUS -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the public health law, in relation to posting of alcohol consumption warning signs

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

Section 1. The legislature finds that several reports have indicated that fetal alcohol syndrome (FAS), caused by the consumption of alcoholic beverages while pregnant, is the leading cause of birth defects and mental retardation in the United States. As many as twelve thousand infants are born each year with FAS and three times as many have alcohol-related neurodevelopmental disorder (ARND). For the past thirty years, the rate of pregnant women drinking heavy alcohol amounts has risen over fifty percent. Nationwide, of the four million women who get pregnant each year, over three quarters of a million drink alcohol during pregnancy. FAS, ARND, along with learning disabilities, attention deficit disorder, hyperactivity, aggressiveness, and violent tendencies are the most common malfunctions among alcohol-related births. They are lifelong disorders that result in brain damage, facial abnormalities, growth deficiencies and central nervous system dysfunction in unborn children. This illness also causes heart defects, epilepsy, liver or kidney disease, abuse and neglect. Women who drink alcohol while pregnant are at high risk of having miscarriages and developing their own heart problems, which could pass along to their offspring.

S 2. The public health law is amended by adding a new section 2503-a to read as follows:

S 2503-A. ALCOHOL CONSUMPTION; WARNING SIGNS. 1. THE COMMISSIONER SHALL PREPARE, HAVE PRINTED AND DISTRIBUTE ACROSS THE STATE TO ALL PERSONS WITH A LICENSE TO SELL ANY ALCOHOLIC BEVERAGE FOR CONSUMPTION ON THE PREMISES, A SIGN OR POSTER WITH CONSPICUOUS LETTERING THAT PROVIDES

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

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INFORMATION ON THE DANGERS OF THE CONSUMPTION OF ALCOHOLIC BEVERAGES WHILE PREGNANT.

2. ALL PERSONS WITH A LICENSE TO SELL ANY ALCOHOLIC BEVERAGE FOR CONSUMPTION ON THE PREMISES SHALL DISPLAY IN A CONSPICUOUS PLACE THE SIGN OR POSTER UPON RECEIVING IT FROM THE COMMISSIONER.

3. ANY PERSON WITH SUCH A LICENSE WHO VIOLATES THE PROVISIONS OF SUBDIVISION TWO OF THIS SECTION SHALL BE SUBJECT TO A FINE NOT TO EXCEED ONE HUNDRED DOLLARS.

S 3. This act shall take effect on the ninetieth day after it shall have become a law.