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

5973

2009-2010 Regular Sessions

I N A S S E M B L Y

February 23, 2009

Introduced by M. of A. TITONE, MILLMAN, PAULIN, GABRYSZAK, JAFFEE, DINOWITZ, EDDINGTON, BRADLEY, MAISEL, LANCMAN, GALEF, SCHIMEL, KOON, FIELDS, CAHILL, ALFANO, CLARK -- Multi-Sponsored by -- M. of A. GLICK, HIKIND, HYER-SPENCER, LATIMER, LIFTON, V. LOPEZ, MAYERSOHN, REILLY, ROBINSON, TOBACCO -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general municipal law and the public authorities law, in relation to prohibiting the advertising of tobacco products on mass commuting vehicles receiving state aid or funding

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

Section 1. The general municipal law is amended by adding a new section 119-t-1 to read as follows:

S 119-T-1. ADVERTISING OF TOBACCO PRODUCTS PROHIBITED ON MASS COMMUTING VEHICLES RECEIVING STATE AID OR FUNDING. 1. ADVERTISEMENT OF THE PROMOTION, USE OR PURCHASE OF TOBACCO PRODUCTS SHALL BE PROHIBITED IN OR ON A MASS COMMUTING VEHICLE WHERE THE OWNERS OR OPERATORS OF THE MASS COMMUTING VEHICLE RECEIVE STATE AID OR FUNDING FOR THE OPERATION OF THE BUSINESS.

2. ADVERTISEMENT OF THE PROMOTION, USE OR PURCHASE OF TOBACCO PRODUCTS SHALL BE PROHIBITED IN ANY STATION OR WAITING AREA OPERATED FOR THE SERVICE OF A MASS COMMUTING VEHICLE DESCRIBED IN SUBDIVISION ONE OF THIS SECTION.

3. FOR PURPOSES OF THIS SECTION:

A. "MASS COMMUTING VEHICLE" MEANS ANY BUS, SUBWAY CAR, RAIL CAR, LOCOMOTIVE, OR SIMILAR EQUIPMENT USED OR TO BE USED TO PROVIDE MASS COMMUTING SERVICES.

B. "TOBACCO PRODUCTS" MEANS ONE OR MORE CIGARETTES, CIGARS, CHEWING TOBACCO, POWDERED TOBACCO OR ANY OTHER TOBACCO PRODUCTS.

S 2. The public authorities law is amended by adding a new section 1265-b to read as follows:

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

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S 1265-B. ADVERTISING OF TOBACCO PRODUCTS PROHIBITED ON MASS COMMUTING VEHICLES RECEIVING STATE AID OR FUNDING. 1. ADVERTISEMENT OF THE PROMOTION, USE OR PURCHASE OF TOBACCO PRODUCTS SHALL BE PROHIBITED IN OR ON A MASS COMMUTING VEHICLE WHERE THE OWNERS OR OPERATORS OF THE MASS COMMUTING VEHICLE RECEIVE STATE AID OR FUNDING FOR THE OPERATION OF THE BUSINESS.

2. ADVERTISEMENT OF THE PROMOTION, USE OR PURCHASE OF TOBACCO PRODUCTS SHALL BE PROHIBITED IN ANY STATION OR WAITING AREA OPERATED FOR THE SERVICE OF A MASS COMMUTING VEHICLE DESCRIBED IN SUBDIVISION ONE OF THIS SECTION.

3. FOR PURPOSES OF THIS SECTION:

A. "MASS COMMUTING VEHICLE" MEANS ANY BUS, SUBWAY CAR, RAIL CAR, LOCOMOTIVE, OR SIMILAR EQUIPMENT USED OR TO BE USED TO PROVIDE MASS COMMUTING SERVICES.

B. "TOBACCO PRODUCTS" MEANS ONE OR MORE CIGARETTES, CIGARS, CHEWING TOBACCO, POWDERED TOBACCO OR ANY OTHER TOBACCO PRODUCTS.

S 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.