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

6857

2009-2010 Regular Sessions

I N A S S E M B L Y

March 13, 2009

Introduced by M. of A. GABRYSZAK -- read once and referred to the Committee on Education

AN ACT authorizing the commissioner of the state education department to conduct a study and report on the adverse health effects of heavy backpacks and book bags on elementary school children

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

Section 1. Legislative findings and purpose. The legislature finds and declares that elementary school children are carrying backpacks and book bags weighing as much as forty pounds. Pediatricians and chiropractors recommend that backpacks and book bags not exceed fifteen percent of a child's body weight. Pediatricians, chiropractors and physical therapists are seeing adverse health effects, to wit, an increased number of children with spinal column injuries, back pain, and significant postural changes from overloaded backpacks. In 1999, the United States consumer product safety commission found that more than 3,400 pupils between 5 and 14 years of age sought treatment in hospital emergency rooms for injuries related to backpacks and book bags. The commissioner of the state education department, in conjunction with specialists in orthopedic medicine, shall determine the prevalence of such adverse health effects in New York state elementary school children and report to the governor and the legislature on such findings and determine the feasibility of addressing such adverse health effects.

S 2. The commissioner of the state education department is hereby authorized and directed to prepare or have prepared a study of the adverse effects of carrying heavy backpacks and book bags on elementary school students. Such study shall include, but not be limited to, an evaluation of the following issues:

1. the prevalence of adverse health effects on New York state elementary school children directly and indirectly attributable to carrying overloaded backpacks and book bags;

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

LBD07877-01-9

2. the feasibility of addressing such adverse health effects; and

3. the commissioner of the state education department's conclusions, recommendations and proposal for implementing such recommendations.

S 3. Such study shall be completed within twelve months of the effective date of this act. Upon completion, such study, conclusions, recommendations and proposals for implementing such recommendations, shall be transmitted to the director of the division of the budget, the chair of the senate finance committee, the chair of the assembly ways and means committee, the chair of the senate higher education committee and the chair of the assembly higher education committee.

S 4. This act shall take effect on the one hundred eightieth day after it shall have become a law.