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

887

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. McDONOUGH, ERRIGO -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to requiring the owners or operators of public or private beaches to report the presence of medical waste to public health officials

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 1343 to read as follows:

S 1343. DUTY TO REPORT MEDICAL WASTE. 1. THE OWNER, LESSEE, OR OPERATOR OF ANY PUBLIC OR PRIVATE BEACH USED FOR BATHING SHALL REPORT TO THE LOCAL HEALTH OFFICER OF THE JURISDICTION IN WHICH SUCH BEACH IS LOCATED, OR THE DEPARTMENT IF THERE BE NO LOCAL HEALTH OFFICER, ANY REGULATED MEDICAL WASTE FOUND WASHED UP ON THE SHORE OF SUCH BEACH OR VISIBLE IN THE WATER FROM THE SHORE OF SUCH BEACH.

2. FOR PURPOSES OF THIS SECTION, THE TERM "REGULATED MEDICAL WASTE" SHALL HAVE THE MEANING DEFINED IN SUBDIVISION ONE OF SECTION 27-1501 OF THE ENVIRONMENTAL CONSERVATION LAW.

3. A FAILURE TO REPORT IN VIOLATION OF SUBDIVISION ONE OF THIS SECTION SHALL CONSTITUTE A VIOLATION AS DEFINED IN THE PENAL LAW AND SHALL BE PUNISHABLE BY A FINE OF UP TO FIVE HUNDRED DOLLARS.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

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