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

8839

I N A S S E M B L Y

(PREFILED)

January 4, 2012

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

AN ACT to amend the public health law, in relation to sale of tobacco products in pharmacies

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 1399-dd-1 to read as follows:

S 1399-DD-1. SALE OF TOBACCO PRODUCTS IN PHARMACIES. NO PERSON SHALL SELL TOBACCO PRODUCTS IN A PHARMACY OR IN A RETAIL ESTABLISHMENT, IF:

1. A PHARMACY AS A DEPARTMENT, AS SUCH TERM IS DEFINED IN PARAGRAPH F OF SUBDIVISION TWO OF SECTION SIXTY-EIGHT HUNDRED EIGHT OF THE EDUCATION LAW, IS WHOLLY CONTAINED WITHIN SUCH ESTABLISHMENT; OR

2. CUSTOMERS OF THE PHARMACY MUST PASS THROUGH A CORRIDOR OR AN AREA OWNED, LEASED OR CONTROLLED BY THE RETAIL ESTABLISHMENT AND USED EXCLUSIVELY TO ACCESS THE PHARMACY.

S 2. This act shall take effect on the thirtieth 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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