

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. PAULIN, GOTTFRIED, GALEF, SPANO, MAISEL, JAFFEE, CASTRO, HOOPER, MILLMAN, MARKEY -- Multi-Sponsored by -- M. of A. DINOWITZ, GIBSON, WEISENBERG -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to civil penalties

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

1 Section 1. Paragraph (f) of subdivision 1 of section 309 of the
2 public health law, as amended by chapter 15 of the laws of 1995, is
3 amended to read as follows:
4 (f) prescribe and impose penalties for the violation of or failure to
5 comply with any of its orders or regulations, or any of the regulations
6 of the state sanitary code, not exceeding [one] TWO thousand dollars for
7 a single violation or failure, to be sued for and recovered by it in any
8 court of competent jurisdiction; and
9 S 2. Nothing in this act shall be construed as requiring any local
10 board of health or city to increase any maximum penalty provided in
11 local law or regulation, or to assess any penalty at a higher level than
12 is provided in local law or regulation.
13 S 3. This act shall take effect on the thirtieth day after it shall
14 have become a law, and shall apply to all violations or failures to
15 comply with any code, rule, regulation, order or special direction which
16 occur on or after such date.

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

LBD02542-01-1