

5693

2011-2012 Regular Sessions

I N   A S S E M B L Y

February 25, 2011

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Introduced by M. of A. SPANO, CASTRO, N. RIVERA, O'DONNELL, JAFFEE --  
Multi-Sponsored by -- M. of A. BOYLAND, BRENNAN, DINOWITZ, DUPREY,  
GLICK, PHEFFER, SAYWARD, STEVENSON, TITONE -- read once and referred  
to the Committee on Health

AN ACT to amend the public health law, in relation to municipal regu-  
lation of bedbug infestations at public places

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

1     Section 1. The public health law is amended by adding a new section  
2     1504 to read as follows:  
3     S 1504. MUNICIPAL BEDBUG CONTROL. 1. FOR THE PURPOSES OF THIS SECTION,  
4     "PUBLIC PLACE" MEANS A PLACE OF PUBLIC ACCOMMODATION, RESORT OR AMUSE-  
5     MENT AS DEFINED IN SUBDIVISION NINE OF SECTION TWO HUNDRED NINETY-TWO OF  
6     THE EXECUTIVE LAW.  
7     2. THE OPERATOR OF ANY PUBLIC PLACE, AT WHICH THERE EXISTS A BEDBUG  
8     INFESTATION, SHALL IMMEDIATELY PROVIDE WRITTEN NOTICE THEREOF TO THE  
9     MUNICIPALITY IN WHICH SUCH PUBLIC PLACE IS LOCATED, AND SHALL CLOSE THE  
10    PUBLIC PLACE TO ACCESS BY THE PUBLIC. UPON PROVISION OF NOTICE TO THE  
11    APPROPRIATE MUNICIPALITY, THE OPERATOR OF THE AFFECTED PUBLIC PLACE  
12    SHALL POST CONSPICUOUS NOTICE OF SUCH BEDBUG INFESTATION ON EVERY  
13    ENTRANCE TO THE PUBLIC PLACE.  
14    3. WITHIN FIVE BUSINESS DAYS OF PROVIDING NOTICE OF A BEDBUG INFESTA-  
15    TION AT A PUBLIC PLACE TO A MUNICIPALITY, THE OPERATOR OF THE PUBLIC  
16    PLACE SHALL CONTRACT WITH A PESTICIDE APPLICATOR, CERTIFIED PURSUANT TO  
17    TITLE NINE OF ARTICLE THIRTY-THREE OF THE ENVIRONMENTAL CONSERVATION  
18    LAW, FOR THE EXTERMINATION AND ERADICATION OF THE BEDBUGS CAUSING THE  
19    INFESTATION.  
20    4. NO PUBLIC PLACE WITH A BEDBUG INFESTATION SHALL BE OPEN FOR PUBLIC  
21    ACCESS UNTIL THE PESTICIDE APPLICATOR WHICH EXTERMINATED AND ERADICATED  
22    THE BEDBUGS CERTIFIES IN WRITING THAT THE BEDBUGS HAVE BEEN EXTERMINATED  
23    AND THERE ARE NO LONGER ANY TRACES OF BEDBUGS AT SUCH PUBLIC PLACE, AND

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

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1 SUCH CERTIFICATION IS FILED WITH THE MUNICIPALITY IN WHICH THE PUBLIC  
2 PLACE IS LOCATED.  
3 S 2. This act shall take effect on the one hundred twentieth day after  
4 it shall have become a law.