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

6364

2011-2012 Regular Sessions

I N A S S E M B L Y

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

AN ACT to amend the public health law, the labor law and the administrative code of the city of New York, in relation to providing notice to restaurants of any regulation changes

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

Section 1. Section 1351 of the public health law is amended to read as follows:

S 1351. Food places; duty to permit inspections; NOTICE OF REGULATION CHANGES. 1. Every owner, operator, lessor, lessee or person in charge of any hotel, restaurant, dining room, dining car, drug store, soda fountain, steamboat or other place engaged in the preparation, sale or service of food for and to the general public, and every officer or other person in charge of any public, penal or charitable institution in this state, shall permit the commissioner or his duly authorized agents or employees to have access to all parts of any and all of such places herein mentioned wherein food is stored, prepared or served for the purpose of ascertaining whether the provisions of sections thirteen hundred fifty to thirteen hundred fifty-two, inclusive, of this [chapter] TITLE, and the provisions of the sanitary code and provisions of local ordinances or regulations are being observed.

2. ANY STATE, CITY OR LOCAL REGULATORY BODY, INCLUDING THE DEPARTMENT, RESPONSIBLE FOR SETTING AND/OR ENFORCING HEALTH STANDARDS FOR RESTAURANTS AND/OR OTHER EATING ESTABLISHMENTS SHALL:

(A) NOTIFY SUCH ESTABLISHMENTS IN WRITING OF ANY NEW OR AMENDED RULES AND REGULATIONS AFFECTING SUCH ESTABLISHMENTS; AND

(B) PROVIDE AT LEAST SIXTY DAYS AFTER THE NOTICE DESCRIBED IN PARAGRAPH (A) OF THIS SUBDIVISION IS RENDERED BEFORE ENFORCING SUCH NEW OR AMENDED REGULATIONS.

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

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S 2. The labor law is amended by adding a new section 383 to read as follows:

S 383. RESTAURANT NOTIFICATION OF NEW OR AMENDED REGULATIONS. ANY STATE, CITY OR LOCAL REGULATORY BODY, INCLUDING THE DEPARTMENT RESPONSIBLE FOR SETTING AND/OR ENFORCING HEALTH STANDARDS FOR RESTAURANTS AND/OR OTHER EATING ESTABLISHMENTS SHALL:

1. NOTIFY SUCH ESTABLISHMENTS IN WRITING OF ANY NEW OR AMENDED RULES AND REGULATIONS AFFECTING SUCH ESTABLISHMENTS; AND

2. PROVIDE AT LEAST SIXTY DAYS AFTER THE NOTICE DESCRIBED IN SUBDIVISION ONE OF THIS SECTION IS RENDERED BEFORE ENFORCING SUCH NEW OR AMENDED REGULATIONS.

S 3. The administrative code of the city of New York is amended by adding a new section 17-324.1 to read as follows:

S 17-324.1 RESTAURANT NOTIFICATION OF NEW OR AMENDED REGULATIONS. ANY STATE, CITY OR LOCAL REGULATORY BODY, RESPONSIBLE FOR SETTING AND/OR ENFORCING HEALTH STANDARDS FOR RESTAURANTS AND/OR OTHER EATING ESTABLISHMENTS SHALL:

1. NOTIFY SUCH ESTABLISHMENTS IN WRITING OF ANY NEW OR AMENDED RULES AND REGULATIONS AFFECTING SUCH ESTABLISHMENTS; AND

2. PROVIDE AT LEAST SIXTY DAYS AFTER THE NOTICE DESCRIBED IN SUBDIVISION ONE OF THIS SECTION IS RENDERED BEFORE ENFORCING SUCH NEW OR AMENDED REGULATIONS.

S 4. This act shall take effect immediately.