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

9803

I N A S S E M B L Y

April 10, 2012

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

AN ACT to amend the public health law, in relation to requiring the installation of portable air purifiers in certain schools

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 article 10 to read as follows:

ARTICLE 10

AIR PURIFIERS; CERTAIN SCHOOLS

SECTION 1000. DEFINITIONS.

1001. AIR PURIFIERS; CERTAIN SCHOOLS.

S 1000. DEFINITIONS. FOR PURPOSES OF THIS ARTICLE, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

A. "HIGH-EFFICIENCY PARTICULATE AIR FILTER" OR "HEPA" SHALL MEAN AN AIR FILTER THAT USES A FILTER TO REMOVE PARTICLES FROM THE AIR.

B. "ULTRAVIOLET GERMICIDAL IRRADIATION FILTER" OR "UVGI" IS AN AIR FILTER THAT USES A DISINFECTION METHOD THAT USES ULTRAVIOLET (UV) LIGHT AT SUFFICIENTLY SHORT WAVELENGTH TO KILL MICROORGANISMS.

C. "DISINFECTION FILTRATION SYSTEM" OR "DFS" IS AN AIR FILTER THAT APPLIES A HIGH ENERGY FIELD WITHIN A SEALED FILTER COMPARTMENT TO INACTIVATE MICROORGANISMS, THEREBY KILLING THEM PERMANENTLY.

S 1001. AIR PURIFIERS; CERTAIN SCHOOLS. 1. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE COMMISSIONER, IN COOPERATION WITH THE COMMISSIONER OF EDUCATION, SHALL HAVE INSTALLED IN EVERY PUBLIC SCHOOL LOCATED WITHIN A CITY WITH A POPULATION OF ONE MILLION OR MORE, PORTABLE HEPA, UVGI AND/OR DFS FILTERS DEMONSTRATING CAPABILITY TO KILL OR INACTIVATE GERMS SUCH AS MOLD. SUCH INSTALLATION SHALL BE MADE IN SUCH A MANNER AND WITH A SUFFICIENT NUMBER OF SUCH FILTERS THAT ARE RATED TO REMOVE AT LEAST 99.95% OF ALL PARTICLES GREATER THAN 0.3 MICROMETER FROM THE AIR.

2. THE FILTERS REQUIRED TO BE INSTALLED PURSUANT TO SUBDIVISION ONE OF THIS SECTION SHALL BE INSTALLED WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION AND SHALL BE INSTALLED IN A MANNER WHERE-

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

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BY SUCH FILTERS CAN BE EASILY MOVED OR TRANSFERRED FROM ONE LOCATION TO ANOTHER.

3. THE COMMISSIONER, IN CONSULTATION WITH THE COMMISSIONER OF EDUCATION, IS AUTHORIZED TO PROMULGATE RULES AND REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THIS ARTICLE.

S 2. This act shall take effect immediately.