

1518

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. TITUS -- read once and referred to the Committee
on Consumer Affairs and Protection

AN ACT to amend the public health law, in relation to posting of alcohol
consumption warning signs

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

1 Section 1. The legislature finds that several reports have indicated
2 that fetal alcohol syndrome (FAS), caused by the consumption of alcohol-
3 ic beverages while pregnant, is the leading cause of birth defects and
4 mental retardation in the United States. As many as twelve thousand
5 infants are born each year with FAS and three times as many have alco-
6 hol-related neurodevelopmental disorder (ARND). For the past thirty
7 years, the rate of pregnant women drinking heavy alcohol amounts has
8 risen over fifty percent. Nationwide, of the four million women who get
9 pregnant each year, over three quarters of a million drink alcohol
10 during pregnancy. FAS, ARND, along with learning disabilities, attention
11 deficit disorder, hyperactivity, aggressiveness, and violent tendencies
12 are the most common malfunctions among alcohol-related births. They are
13 lifelong disorders that result in brain damage, facial abnormalities,
14 growth deficiencies and central nervous system dysfunction in unborn
15 children. This illness also causes heart defects, epilepsy, liver or
16 kidney disease, abuse and neglect. Women who drink alcohol while preg-
17 nant are at high risk of having miscarriages and developing their own
18 heart problems, which could pass along to their offspring.

19 S 2. The public health law is amended by adding a new section 2503-a
20 to read as follows:

21 S 2503-A. ALCOHOL CONSUMPTION; WARNING SIGNS. 1. THE COMMISSIONER
22 SHALL PREPARE, HAVE PRINTED AND DISTRIBUTE ACROSS THE STATE TO ALL
23 PERSONS WITH A LICENSE TO SELL ANY ALCOHOLIC BEVERAGE FOR CONSUMPTION ON
24 THE PREMISES, A SIGN OR POSTER WITH CONSPICUOUS LETTERING THAT PROVIDES

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

LBD01744-01-3

1 INFORMATION ON THE DANGERS OF THE CONSUMPTION OF ALCOHOLIC BEVERAGES
2 WHILE PREGNANT.
3 2. ALL PERSONS WITH A LICENSE TO SELL ANY ALCOHOLIC BEVERAGE FOR
4 CONSUMPTION ON THE PREMISES SHALL DISPLAY IN A CONSPICUOUS PLACE THE
5 SIGN OR POSTER UPON RECEIVING IT FROM THE COMMISSIONER.
6 3. ANY PERSON WITH SUCH A LICENSE WHO VIOLATES THE PROVISIONS OF
7 SUBDIVISION TWO OF THIS SECTION SHALL BE SUBJECT TO A FINE NOT TO EXCEED
8 ONE HUNDRED DOLLARS.
9 S 3. This act shall take effect on the ninetieth day after it shall
10 have become a law.