

2126--A

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. SIMOTAS -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to authorizing pupils to carry and use sunscreen in schools; and to amend the public health law, in relation to authorizing children attending camps to carry and use sunscreen

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

1 Section 1. The education law is amended by adding a new section 907 to  
2 read as follows:

3 S 907. USE OF SUNSCREEN. THE BOARD OF EDUCATION OR TRUSTEES OF EACH  
4 SCHOOL DISTRICT AND BOARD OF COOPERATIVE EDUCATIONAL SERVICES, AND THE  
5 GOVERNING BODY OF EACH PRIVATE ELEMENTARY, MIDDLE AND SECONDARY SCHOOL,  
6 SHALL ALLOW STUDENTS TO CARRY AND USE TOPICAL SUNSCREEN PRODUCTS  
7 APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR OVER-THE-COUN-  
8 TER USE FOR THE PURPOSE OF AVOIDING OVEREXPOSURE TO THE SUN AND NOT FOR  
9 MEDICAL TREATMENT OF AN INJURY OR ILLNESS, WITH THE WRITTEN PERMISSION  
10 OF THE PARENT OR GUARDIAN OF THE STUDENT. A RECORD OF SUCH PERMISSION  
11 SHALL BE MAINTAINED BY THE SCHOOL. A STUDENT WHO IS UNABLE TO PHYS-  
12 ICALLY APPLY SUNSCREEN MAY BE ASSISTED BY UNLICENSED PERSONNEL WHEN  
13 DIRECTED TO DO SO BY THE STUDENT, IF PERMITTED BY A PARENT OR GUARDIAN  
14 AND AUTHORIZED BY THE SCHOOL.

15 S 2. Section 1394 of the public health law is amended by adding a new  
16 subdivision 4 to read as follows:

17 4. EACH CHILDREN'S OVERNIGHT CAMP, SUMMER DAY CAMP AND TRAVELLING  
18 SUMMER DAY CAMP SHALL ALLOW CHILDREN ATTENDING SUCH CAMP TO CARRY AND  
19 USE TOPICAL SUNSCREEN PRODUCTS APPROVED BY THE FEDERAL FOOD AND DRUG  
20 ADMINISTRATION FOR OVER-THE-COUNTER USE FOR THE PURPOSE OF AVOIDING  
21 OVEREXPOSURE TO THE SUN AND NOT FOR MEDICAL TREATMENT OF AN INJURY OR

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

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1 ILLNESS, WITH THE WRITTEN PERMISSION OF THE PARENT OR GUARDIAN OF THE  
2 CHILD. A RECORD OF SUCH PERMISSION SHALL BE MAINTAINED BY THE CAMP. A  
3 CHILD WHO IS UNABLE TO PHYSICALLY APPLY SUNSCREEN MAY BE ASSISTED BY  
4 UNLICENSED PERSONNEL WHEN DIRECTED TO DO SO BY THE CHILD, IF PERMITTED  
5 BY A PARENT OR GUARDIAN AND AUTHORIZED BY THE CAMP.

6 S 3. This act shall take effect on the thirtieth day after it shall  
7 have become a law.