

553--A

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. DINOWITZ, GOTTFRIED, JAFFEE, GALEF -- Multi-Sponsored by -- M. of A. LIFTON, MAYER, MONTESANO -- read once and referred to the Committee on Health -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to prohibiting smoking on public beaches and in public parks

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

1 Section 1. The public health law is amended by adding a new section
2 1399-o-2 to read as follows:
3 S 1399-O-2. SMOKING RESTRICTIONS; CERTAIN OUTDOOR AREAS. SMOKING
4 SHALL NOT BE PERMITTED AND NO PERSON SHALL SMOKE ON ANY PUBLIC BEACHES
5 OR PUBLIC GOLF COURSES OR IN ANY PUBLIC PARK IN THIS STATE; PROVIDED,
6 HOWEVER, THAT THE GOVERNING BODY OF A MUNICIPALITY OR POLITICAL SUBDIVI-
7 SION WHICH OPERATES OR MAINTAINS A PUBLIC PARK, BEACH OR PUBLIC GOLF
8 COURSE, OR THE STATE AGENCY OR OTHER ENTITY WHICH OPERATES OR MAINTAINS
9 A STATE PARK, BEACH OR PUBLIC GOLF COURSE, MAY DESIGNATE AREAS WITHIN
10 SUCH PUBLIC PARK, BEACH OR PUBLIC GOLF COURSE, IN WHICH SMOKING SHALL BE
11 PERMITTED. WHERE SMOKING AREAS ARE SO DESIGNATED THE LOCAL GOVERNING
12 BODY OR STATE AGENCY OR ENTITY SHALL PROVIDE ASHTRAYS IN SUCH AREAS AND
13 POST SIGNS DIRECTING INDIVIDUALS TO PROPERLY DISPOSE OF CIGARETTES. FOR
14 PURPOSES OF THIS SECTION THE TERM PUBLIC PARK SHALL NOT INCLUDE THE
15 ADIRONDACK PARK OR THE CATSKILL PARK AS THOSE TERMS ARE DEFINED IN
16 SECTION 9-0101 OF THE ENVIRONMENTAL CONSERVATION LAW.
17 S 2. This act shall take effect on the ninetieth day after it shall
18 have become a law.

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

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