

10046

I N   A S S E M B L Y

June 10, 2014

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Introduced by COMMITTEE ON RULES -- (at request of M. of A. Pichardo) --  
read once and referred to the Committee on Health

AN ACT to amend the public health law and the administrative code of the  
city of New York, in relation to prohibiting the smoking of tobacco  
products in or near after-school programs

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

1     Section 1. Section 1399-o of the public health law is amended by  
2     adding a new subdivision 4 to read as follows:  
3     4. SMOKING SHALL NOT BE PERMITTED AND NO PERSON SHALL SMOKE WITHIN ONE  
4     HUNDRED FEET OF THE ENTRANCES, EXITS OR OUTDOOR AREAS OF ANY  
5     AFTER-SCHOOL PROGRAM LICENSED OR REGISTERED PURSUANT TO SECTION THREE  
6     HUNDRED NINETY OF THE SOCIAL SERVICES LAW; PROVIDED, HOWEVER, THAT THE  
7     PROVISIONS OF THIS SUBDIVISION SHALL ONLY APPLY ON THOSE DAYS AND DURING  
8     THOSE HOURS IN WHICH SUCH AFTER-SCHOOL PROGRAMS ARE OPERATIONAL; AND  
9     PROVIDED, FURTHER, THAT THE PROVISIONS OF THIS SUBDIVISION SHALL NOT  
10    APPLY TO SMOKING IN A RESIDENCE, OR WITHIN THE REAL PROPERTY BOUNDARY  
11    LINES OF SUCH RESIDENTIAL REAL PROPERTY.  
12    S 2. Section 1399-p of the public health law is amended by adding a  
13    new subdivision 3 to read as follows:  
14    3. THE PROVISIONS OF THIS SECTION SHALL APPLY TO AFTER-SCHOOL PROGRAMS  
15    THAT ARE SUBJECT TO THE PROVISIONS OF SUBDIVISION FOUR OF SECTION THIR-  
16    TEEN HUNDRED NINETY-NINE-O OF THIS ARTICLE, PROVIDED THAT SIGNS POSTED  
17    PURSUANT TO THIS SUBDIVISION SHALL SPECIFY THE SPECIFIC TIME PERIOD  
18    DURING WHICH SMOKING SHALL BE PROHIBITED.  
19    S 3. Section 21-120.1 of the administrative code of the city of New  
20    York, as added by local law number 31 of the city of New York for the  
21    year 2000, is amended by adding a new subdivision i to read as follows:  
22    I. SMOKING SHALL NOT BE PERMITTED AND NO PERSON SHALL SMOKE WITHIN ONE  
23    HUNDRED FEET OF THE ENTRANCES, EXITS OR OUTDOOR AREAS OF ANY  
24    AFTER-SCHOOL PROGRAM LICENSED PURSUANT TO THIS SECTION; PROVIDED, HOWEV-  
25    ER, THAT THE PROVISIONS OF THIS SUBDIVISION SHALL ONLY APPLY ON THOSE  
26    DAYS AND DURING THOSE HOURS IN WHICH SUCH AFTER-SCHOOL PROGRAMS ARE  
27    OPERATIONAL; AND PROVIDED THAT THE PROVISIONS OF THIS SUBDIVISION SHALL

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

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1 NOT APPLY TO SMOKING IN A RESIDENCE, OR WITHIN THE REAL PROPERTY BOUNDA-  
2 RY LINES OF SUCH RESIDENTIAL REAL PROPERTY. SIGNS SHALL BE POSTED,  
3 PURSUANT TO SUBDIVISION THREE OF SECTION THIRTEEN HUNDRED NINETY-NINE-P  
4 OF THE PUBLIC HEALTH LAW, SPECIFYING THE SPECIFIC TIME PERIOD DURING  
5 WHICH SMOKING SHALL BE PROHIBITED.

6 S 4. This act shall take effect on the thirtieth day after it shall  
7 have become a law.