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

1115--A

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. JAFFEE, ORTIZ, STEVENSON, DINOWITZ, ROBERTS, GALEF, ROBINSON, CRESPO -- Multi-Sponsored by -- M. of A. BOYLAND, HEASTIE, MOYA, THIELE, WEISENBERG -- read once and referred to the Committee on Health -- 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 hospital grounds and residential health care facilities

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

Section 1. Subdivision 2 of section 1399-o of the public health law, as added by chapter 389 of the laws of 2011, is amended to read as follows:

2. Smoking shall not be permitted and no person shall smoke in the following outdoor areas:

A. ticketing, boarding or platform areas of railroad stations operated by the metropolitan transportation authority or its subsidiaries.

B. ON THE GROUNDS OF GENERAL HOSPITALS AND RESIDENTIAL HEALTH CARE FACILITIES AS DEFINED IN ARTICLE TWENTY-EIGHT OF THIS CHAPTER, WITHIN FIFTEEN FEET OF A BUILDING ENTRANCE OR EXIT OR WITHIN FIFTEEN FEET OF THE ENTRANCE TO OR EXIT FROM THE GROUNDS OF ANY SUCH GENERAL HOSPITAL OR RESIDENTIAL HEALTH CARE FACILITY. THIS SUBDIVISION SHALL NOT PROHIBIT SMOKING BY A PATIENT OR A VISITOR OR GUEST OF A PATIENT OF A RESIDENTIAL HEALTH CARE FACILITY IN A SEPARATE AREA ON THE GROUNDS DESIGNATED AS A SMOKING AREA BY THE RESIDENTIAL HEALTH CARE FACILITY, PROVIDED SUCH DESIGNATED SMOKING AREA IS NOT WITHIN THIRTY FEET OF ANY BUILDING STRUCTURE (OTHER THAN A NON-RESIDENTIAL STRUCTURE WHOLLY CONTAINED WITHIN THE DESIGNATED SMOKING AREA), INCLUDING ANY OVERHANG, CANOPY, AWNING, ENTRANCE, EXIT, WINDOW, INTAKE OR EXHAUST.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

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