AN ACT to amend the general business law and the public health law, in relation to requiring operators of petting zoos and other public establishments featuring animals to maintain hand washing or hand cleansing facilities.

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

Section 1. The general business law is amended by adding a new section 399-ff to read as follows:

S 399-FF. PETTING ZOOS. 1. FOR PURPOSES OF THIS SECTION THE TERMS:

(A) "PETTING ZOO" SHALL MEAN A PLACE WHERE A COLLECTION OF ANIMALS ARE KEPT FOR THE EXPRESS PURPOSE OF VIEWING, TOUCHING, HOLDING AND PETTING BY PATRONS AND VISITORS TO THE ESTABLISHMENT; AND

(B) "HAND WASHING OR HAND CLEANSING FACILITY" SHALL MEAN ANY METHOD OF CLEANSING THE HANDS THAT KILLS GERMS AND BACTERIA INCLUDING, BUT NOT LIMITED TO, SOAP AND RUNNING WATER, ANTI-BACTERIAL FLUIDS, FOAMS OR GELS, AND ANTI-BACTERIAL OR ANTISEPTIC WIPES OR TOWELS.

2. ALL PETTING ZOO OPERATORS SHALL PROVIDE AND MAINTAIN AT LEAST ONE CLEARLY DESIGNATED HAND WASHING FACILITY FOR PATRONS AND VISITORS TO THE ESTABLISHMENT TO WASH OR CLEANSE THEIR HANDS UPON EXITING SUCH PETTING ZOO AREA. SUCH HAND WASHING OR HAND CLEANSING FACILITY SHALL BE MAINTAINED AT OR WITHIN NO MORE THAN FIFTY FEET OF THE EXIT FROM SUCH PETTING ZOO AREA.

3. EVERY EXIT FROM A PETTING ZOO AREA SHALL HAVE A SIGN CONSPICUOUSLY POSTED THAT SHALL STATE, IN A CLEAR AND LEGIBLE TYPEFACE, THE FOLLOWING: "ANIMALS AT PETTING ZOOS MAY CARRY GERMS AND BACTERIA THAT CAUSE DISEASE. IT IS STRONGLY RECOMMENDED THAT PERSONS WASH THEIR HANDS UPON EXITING THE PETTING ZOO AREA". SUCH SIGN SHALL ALSO INDICATE THE DIRECTION IN WHICH SUCH HAND WASHING OR HAND CLEANSING FACILITY IS LOCATED.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.
4. ANY OPERATOR OF A PETTING ZOO WHO FAILS TO MAINTAIN A HAND WASHING OR HAND CLEANSING FACILITY AND PROPER SIGNAGE IN VIOLATION OF THIS SECTION SHALL BE SUBJECT TO A CIVIL FINE IN THE AMOUNT OF NOT LESS THAN FIVE HUNDRED DOLLARS FOR EACH DAY IN WHICH SUCH PETTING ZOO IS OPERATED IN VIOLATION OF THIS SECTION.

S 2. The public health law is amended by adding a new section 1311 to read as follows:

S 1311. HAND WASHING FACILITIES AT CERTAIN PUBLIC ESTABLISHMENTS FEATURING ANIMALS. 1. ALL PUBLIC ESTABLISHMENTS INCLUDING, BUT NOT LIMITED TO, CARNIVALS, FAIRS AND AMUSEMENT PARKS, AS SUCH TERMS ARE DEFINED IN SECTION EIGHT HUNDRED SEVENTY-C OF THE LABOR LAW, FARMS, AND FARMERS' MARKETS, AS SUCH TERM IS DEFINED IN SECTION TWO HUNDRED SIXTY OF THE AGRICULTURE AND MARKETS LAW, WHICH FEATURE DISPLAYS OF LIVE ANIMALS THAT PATRONS MAY REASONABLY BE EXPECTED TO COME INTO PHYSICAL CONTACT WITH FOR THE PURPOSE OF TOUCHING, HOLDING OR PETTING SHALL PROVIDE HAND WASHING OR HAND CLEANSING FACILITIES FOR SUCH PATRONS. HAND WASHING OR HAND CLEANSING FACILITIES MAY BE TEMPORARY OR PERMANENT FIXTURES AND SHALL INCLUDE ONE OR MORE OF THE FOLLOWING: SOAP AND RUNNING WATER; ANTI-BACTERIAL FLUIDS, FOAMS OR GELS; OR ANTI-BACTERIAL OR ANTISEPTIC WIPES OR TOWELS.

2. SIGNS SHALL BE CONSPICUOUSLY POSTED AND SHALL STATE IN A CLEAR AND LEGIBLE TYPEFACE, THE FOLLOWING: "ANIMALS MAY CARRY GERMS AND BACTERIA THAT CAN CAUSE DISEASE TO PEOPLE. IT IS STRONGLY RECOMMENDED THAT PERSONS WASH OR CLEANSE THEIR HANDS AFTER TOUCHING, HOLDING OR PETTING THE ANIMALS." SUCH SIGNS SHALL ALSO INDICATE WHERE THE HAND WASHING OR HAND CLEANSING FACILITY IS LOCATED.

3. THE COMMISSIONER MAY MAKE RULES GUARDING AGAINST THE SPREAD OF BACTERIA AND VIRUSES AT PUBLIC ESTABLISHMENTS THAT FEATURE ANIMALS AS PROVIDED IN SUBDIVISION ONE OF THIS SECTION, TO PERSONS EMPLOYED AT OR TO PATRONS OF SUCH ESTABLISHMENTS WHERE SUCH ESTABLISHMENTS ARE LOCATED OUTSIDE THE CITY OF NEW YORK, AND WHERE SUCH ESTABLISHMENTS ARE LOCATED WITHIN THE CITY OF NEW YORK, THE COMMISSIONER OF PUBLIC HEALTH OF THE CITY OF NEW YORK MAY MAKE AND ENFORCE SUCH RULES.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.