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

8330--A

2015-2016 Regular Sessions

I N A S S E M B L Y

August 5, 2015

Introduced by M. of A. ORTIZ, KEARNS, JAFFEE, GALEF -- Multi-Sponsored by -- M. of A. KOLB, MONTESANO -- read once and referred to the Committee on Housing -- recommitted to the Committee on Housing 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 housing law, in relation to prohibiting smoking on the premises of public housing units

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

Section 1. The public housing law is amended by adding a new section 223-c to read as follows:

S 223-C. PROHIBITION ON SMOKING. 1. SMOKING SHALL BE PROHIBITED IN OR ON THE GROUNDS OF ANY PUBLIC HOUSING ACCOMMODATION CLASSIFIED BY THE COMMISSIONER AS A SMOKE-FREE BUILDING. THE COMMISSIONER SHALL ENSURE THAT AT LEAST FIFTY PERCENT OF ALL PUBLIC HOUSING ACCOMMODATIONS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THIS SECTION SHALL BE CLASSIFIED AS SMOKE-FREE BUILDINGS.

2. ANY PUBLIC HOUSING ACCOMMODATION CONSTRUCTED AFTER THE EFFECTIVE DATE OF THIS SECTION SHALL BE CLASSIFIED AS A SMOKE-FREE BUILDING. SMOKING SHALL BE PROHIBITED IN AND ON THE GROUNDS OF ANY OF THESE ACCOMMODATIONS.

3. ANY VACANCIES IN A PUBLIC HOUSING UNIT THAT HAS BEEN CLASSIFIED AS A SMOKING UNIT SHALL BE RECLASSIFIED AS A SMOKE-FREE UNIT PRIOR TO ANY NEW TENANT TAKING OCCUPANCY. SMOKING SHALL BE PROHIBITED IN ANY OF THESE UNITS ON AND AFTER THE DATE OF SUCH NEW OCCUPANCY.

4. ON JANUARY FIRST, TWO THOUSAND TWENTY, THE COMMISSIONER SHALL CLASSIFY ALL PUBLIC HOUSING ACCOMMODATIONS AS SMOKE-FREE BUILDINGS. SMOKING SHALL BE PROHIBITED IN AND ON THE GROUNDS OF ALL PUBLIC HOUSING ACCOMMODATIONS ON AND AFTER SUCH DATE.

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

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5. FOR PURPOSES OF THIS SECTION, THE TERM SMOKING SHALL INCLUDE, BUT NOT BE LIMITED TO, THE SMOKING OR USE OF: (A) CIGARETTES, CIGARS, PIPES OR ANY OTHER HANDHELD DEVICE USED FOR THE SMOKING OF TOBACCO PRODUCTS; AND (B) ELECTRONIC CIGARETTES, E-CIGARETTES, ANY ELECTRONIC NICOTINE DELIVERY SYSTEM OR ANY OTHER HANDHELD ELECTRONIC DEVICE THAT VAPORIZES A FLAVORED LIQUID.

S 2. This act shall take effect immediately.