

# STATE OF NEW YORK

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709

2017-2018 Regular Sessions

## IN SENATE

January 4, 2017

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Introduced by Sen. FUNKE -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, the labor law and the administrative code of the city of New York, in relation to providing notice to restaurants of any regulation changes

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 1351 of the public health law is amended to read as  
2 follows:

3 § 1351. Food places; duty to permit inspections; notice of regulation  
4 changes. 1. Every owner, operator, lessor, lessee or person in charge  
5 of any hotel, restaurant, dining room, dining car, drug store, soda  
6 fountain, steamboat or other place engaged in the preparation, sale or  
7 service of food for and to the general public, and every officer or  
8 other person in charge of any public, penal or charitable institution in  
9 this state, shall permit the commissioner or his duly authorized agents  
10 or employees to have access to all parts of any and all of such places  
11 herein mentioned wherein food is stored, prepared or served for the  
12 purpose of ascertaining whether the provisions of sections thirteen  
13 hundred fifty to thirteen hundred fifty-two, inclusive, of this [~~chap-~~  
14 ~~ter~~] title, and the provisions of the sanitary code and provisions of  
15 local ordinances or regulations are being observed.

16 2. Any state, city or local regulatory body, including the department,  
17 responsible for setting and/or enforcing health standards for restau-  
18 rants and/or other eating establishments shall:

19 (a) notify such establishments in writing of any new or amended rules  
20 and regulations affecting such establishments; and

21 (b) provide at least sixty days after the notice described in para-  
22 graph (a) of this subdivision is rendered before enforcing such new or  
23 amended regulations.

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

LBD04142-01-7

1     § 2. The labor law is amended by adding a new section 383 to read as  
2 follows:

3     § 383. Restaurant notification of new or amended regulations. Any  
4 state, city or local regulatory body, including the department responsi-  
5 ble for setting and/or enforcing health standards for restaurants and/or  
6 other eating establishments shall:

7         1. notify such establishments in writing of any new or amended rules  
8 and regulations affecting such establishments; and

9         2. provide at least sixty days after the notice described in subdivi-  
10 sion one of this section is rendered before enforcing such new or  
11 amended regulations.

12     § 3. The administrative code of the city of New York is amended by  
13 adding a new section 17-324.1 to read as follows:

14     § 17-324.1 Restaurant notification of new or amended regulations. Any  
15 state, city or local regulatory body, responsible for setting and/or  
16 enforcing health standards for restaurants and/or other eating estab-  
17 lishments shall:

18         1. notify such establishments in writing of any new or amended rules  
19 and regulations affecting such establishments; and

20         2. provide at least sixty days after the notice described in subdivi-  
21 sion one of this section is rendered before enforcing such new or  
22 amended regulations.

23     § 4. This act shall take effect immediately.