

STATE OF NEW YORK

7522--A

IN SENATE

January 19, 2018

Introduced by Sen. HANNON -- read twice and ordered printed, and when printed to be committed 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 smoking restrictions in child care facilities

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

Section 1. Paragraph h of subdivision 1 of section 1399-o of the public health law, as amended by chapter 335 of the laws of 2017, is amended to read as follows:

h. any facility that provides child care services as defined in section four hundred ten-p of the social services law, provided, however, that [~~such services provided in~~] rooms in such a facility that is a private home [are excluded from this subdivision when children enrolled in such day care are not present,] shall be regulated by this paragraph as follows:

(i) when such private home is not required to be licensed or registered for such services by the office of children and family services, rooms in such home are excluded from the prohibition of this paragraph during periods when children receiving such services are not present; and

(ii) when such private home is required to be licensed or registered for such services by the office of children and family services, rooms in such home are included within the prohibition of this paragraph, regardless of whether or not children receiving such services are present.

§ 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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