STATE OF NEW YORK

8761

2017-2018 Regular Sessions

IN ASSEMBLY

November 3, 2017

Introduced by M. of A. M. L. MILLER -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to requiring food allergy signage around parks, playgrounds, and recreation centers

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

Section 1. The public health law is amended by adding a new section 2500-l to read as follows:

§ 2500-l. Food allergy awareness signage on playgrounds and in parks and/or recreation centers. 1. Definitions. For the purposes of this section:

a. "playground" shall have the same meaning as set forth in subdivision one of section thirteen hundred ninety-nine-o-1 of the public health law. Playgrounds or playground equipment constructed upon one, two and three-family residential real property are exempt from the requirements of this section.

b. "park and/or recreation center" shall mean:

(i) any location within state or municipal parkland that has been designated in regulation by the commissioner as a place where food allergy incidents are likely to occur; or

(ii) any location outside of state or municipal parkland that has been designated in regulation by the commissioner as a place where food allergy incidents are likely to occur, provided that location is being utilized for activities overseen by the office of parks, recreation and historic preservation or a local parks and/or recreation department.

2. The commissioner shall promulgate rules and regulations requiring the person or entity that operates a playground or a park and/or recreation center to post food allergy awareness signage. At a minimum, such signage shall:

a. inform children and their caregivers of the dangers associated with food allergies; and

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

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b. include a list of actions that children and their caregivers can take in order to mitigate the risk of causing an allergy attack, including, but not limited to:

(i) eating at designated areas outside of the play or recreation area, in order to avoid food contamination of the playground of other recreation equipment;

(ii) not offering food to other children without their caregivers' permission; and

(iii) washing or otherwise cleaning their hands after eating.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized and directed to be made and completed on or before such effective date.