

# STATE OF NEW YORK

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571

2019-2020 Regular Sessions

## IN SENATE

(Prefiled)

January 9, 2019

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Introduced by Sens. KENNEDY, KAMINSKY -- read twice and ordered printed,  
and when printed to be committed to the Committee on Alcoholism and  
Drug Abuse

AN ACT to amend the education law, in relation to health education  
regarding alcohol, drugs, tobacco abuse and the prevention and  
detection of certain cancers

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

1 Section 1. Paragraph a of subdivision 6 of section 804 of the educa-  
2 tion law, as amended by chapter 390 of the laws of 2016, is amended to  
3 read as follows:

4 a. The commissioner may prescribe in regulations such health education  
5 courses which include instruction regarding alcohol, tobacco, and other  
6 drugs as the commissioner may deem necessary and desirable for the  
7 welfare of pupils and the community. The contents may be varied to meet  
8 the needs of particular school districts, or portions thereof, and need  
9 not be uniform throughout the state, provided, however, that school  
10 districts shall utilize either the curriculum for health education  
11 instruction regarding alcohol, tobacco and other drugs prescribed by the  
12 commissioner or a course approved by the commissioner in accordance with  
13 criteria established by the commissioner. The commissioner [~~is author-~~  
14 ~~ized to~~] shall make recommendations to the board of regents beginning  
15 December first, two thousand [~~fourteen~~] nineteen and every [~~three~~] two  
16 years thereafter relating to the modernization of such instruction  
17 required pursuant to subdivision one of this section, to include the  
18 most up to date age appropriate information available regarding the  
19 misuse and abuse of alcohol, tobacco and other drugs, including but not  
20 limited to heroin and opioids. Such instruction shall be sequential and  
21 comprehensive, and shall include, but not be limited to, information  
22 regarding drugs and other substances that are more prevalent among

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

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1 school aged youth. Such recommendations shall be the result of a collab-  
2 oration between the department, the office of alcoholism and substance  
3 abuse services and the department of health. If the board of regents  
4 adopts such curriculum, the curriculum requirement shall take effect no  
5 later than the next school year after such curriculum has been adopted.  
6 § 2. This act shall take effect immediately.