STATE OF NEW YORK

8253

IN SENATE

April 27, 2020

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT in relation to authorizing the screening for body temperatures during the novel coronavirus, COVID-19 state disaster emergency; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. 1. Notwithstanding any other federal, state or local law, rule or regulation to the contrary, any firm, business, corporation, association, entity or not-for-profit corporation may opt into requiring the taking of body temperature of any employee, vendor or customer entering a place of business owned by such firm, corporation, association, entity or not-for-profit corporation during the novel coronavirus, COVID-19 state disaster emergency declared by the governor on March 7, 2020.

2. Such firm, business, corporation, association, entity or not-for-profit corporation may screen for body temperature using non-invasive thermal cameras. If the temperature of an employee, vendor or customer is 100.4 degrees Fahrenheit or higher, the standard devised by the Centers for Disease Control and Prevention as a potential coronavirus marker, the following situations shall apply:

(a) If an employee: the employee would be sent home immediately and cannot return to work until 3 days after his or her body temperature has fallen below 100.4 degrees Fahrenheit.

(b) If a vendor: the vendor shall vacate the premises immediately.

(c) If a customer: the customer shall be discreetly informed by a trained member of the firm, business, corporation, association, entity or not-for-profit corporation or building staff of the body temperature, and an alternative for the customer shall be provided so that such customer still receives the product or services desired or required.

3. Nothing in this act shall be deemed to overrule any provision of the civil rights law.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed when the governor declares the conclusion of novel coro-

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

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navirus, COVID-19 state disaster emergency; provided, however that the governor shall notify the legislative bill drafting commission upon the occurrence of the conclusion of such novel coronavirus, COVID-19 state disaster emergency in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.