STATE OF NEW YORK

2873

2019-2020 Regular Sessions

IN SENATE

January 30, 2019

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

AN ACT to amend the public health law, in relation to banning smoking in adult care facilities

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

Section 1. Paragraph n 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:

n. general hospitals and residential health care facilities as defined in article twenty-eight of this chapter, **adult care facilities established or certified under title two of article seven of the social services law, community mental health residences established under section 41.44 of the mental hygiene law, facilities where day treatment programs are provided,** and other health care facilities licensed by the state in which persons reside[~~; provided, however, that the provisions of this subdivision shall not prohibit smoking and vaping by patients in separate enclosed rooms of residential health care facilities, adult care facilities established or certified under title two of article seven of the social services law, community mental health residences established under section 41.44 of the mental hygiene law, or facilities where day treatment programs are provided, which are designated as smoking and vaping rooms for patients of such facilities or programs~~];

§ 2. This act shall take effect immediately.

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

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