STATE OF NEW YORK

9324--A

IN ASSEMBLY

February 23, 2022

Introduced by M. of A. BUTTENSCHON, GUNTHER, HEVESI, SIMON, SMULLEN -- read once and referred 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 requiring public entities to maintain a stock of opioid antagonists

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

Section 1. Short title. This act shall be known and may be cited as "Erin's law".

§ 2. Subparagraph (v) of paragraph (a) of subdivision 3 of section 3309 of the public health law, as added by chapter 148 of the laws of 2020, is amended and a new subdivision 8 is added to read as follows:

(v) As used in this section, "entity" **or "public entity"** includes, but is not limited to, a school district, public library, board of cooperative educational services, county vocational education and extension board, charter school, non-public elementary or secondary school, restaurant, bar, retail store, shopping mall, barber shop, beauty parlor, theater, sporting or event center, inn, hotel or motel.

8. The commissioner shall require all public entities to maintain on-site opioid antagonists, in quantities and types deemed by the commissioner, to be adequate to ensure ready and appropriate access for use during emergencies to any individual on the premises of such public entity suspected of having an opioid overdose whether or not there is a previous history of opioid abuse at such public entity. The commissioner shall establish a process by which public entities may apply to receive opioid antagonists free of charge. Such process shall be operated in compliance with existing laws, rules, and regulations relating to the distribution of an opioid antagonist.

§ 3. This act shall take effect immediately.

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

LBD14558-03-2