STATE OF NEW YORK

6495

2021-2022 Regular Sessions

IN SENATE

May 3, 2021

Introduced by Sen. HOYLMAN -- 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 requiring the immunization of certain post-secondary students against COVID-19

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

Section 1. Subdivision 13 of section 2165 of the public health law is renumbered subdivision 12 and subdivision 1, as added by chapter 405 of the laws of 1989, paragraph b as amended by chapter 325 of the laws of 1991, is amended to read as follows:

1. As used in this section, unless the context requires otherwise:

a. The term "institution" means a college as defined in section two of the education law.

b. The term "student" means any person born on or after January first, nineteen hundred fifty-seven, who is registered to attend or attends classes at an institution, whether full-time or part-time. "Part-time student" shall mean a student who is enrolled for at least six but less than twelve semester hours, or the equivalent per semester or at least four but less than eight semester hours per quarter at an institution.

c. The term "health practitioner" means any person authorized by law to administer an immunization.

d. The term "immunization" means an adequate dose or doses of an immunizing agent against measles, mumps [~~and~~], rubella **and the novel coronavirus (COVID-19)** which meets the standards approved by the United States public health service for such biological products, and which is approved by the state department of health under such conditions as may be specified by the public health council.

§ 2. This act shall take effect thirty days following the date of the issuance of a biologics license for an immunizing agent against COVID-19 by the United States Food and Drug Administration provided that the provisions contained in this act are in accordance with recommendations

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

LBD10822-04-1

issued by the Centers for Disease Control Advisory Committee on Immunization Practices. The commissioner of health shall notify the legislative bill drafting commission upon the occurrence of such approval 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. Effective immediately the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.