STATE OF NEW YORK

848

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

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

AN ACT to amend the public health law and the multiple dwelling law, in relation to prohibiting smoking in multiple dwellings constructed after January 1, 2022 in certain cities

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

Section 1. Paragraphs q and r of subdivision 1 of section 1399-o of the public health law, as amended by chapter 335 of the laws of 2017, are amended and a new paragraph s is added to read as follows:

q. zoos; [~~and~~]

r. bingo facilities[~~.~~]; and

s. multiple dwellings or the units therein for dwellings for which construction is completed on or after January first, two thousand twenty-two, in accordance with subdivision seven of this section.

§ 2. Subdivision 1 of section 1399-q of the public health law, as amended by chapter 335 of the laws of 2017, is amended to read as follows:

1. Private homes, private residences, except in multiple dwellings or the units therein for dwellings for which construction is completed on or after January first, two thousand twenty-two, in accordance with subdivision seven of this section, and private automobiles;

§ 3. Section 1399-o of the public health law is amended by adding a new subdivision 7 to read as follows:

7. Smoking shall be prohibited in any multiple dwelling and the units therein for which construction is completed on or after January first, two thousand twenty-two, in a city with a population of one million or more. For purposes of this subdivision construction shall be deemed completed upon the issuance of a certificate of occupancy.

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

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§ 4. The multiple dwelling law is amended by adding a new section 85 to read as follows:

§ 85. Smoking prohibited; new multiple dwellings. In a city with a population of one million or more, smoking shall be prohibited in any part of a multiple dwelling for which a certificate of occupancy is issued on or after January first, two thousand twenty-two.

§ 5. This act shall take effect immediately.