

# STATE OF NEW YORK

4091

2023-2024 Regular Sessions

## IN ASSEMBLY

February 9, 2023

Introduced by M. of A. GONZALEZ-ROJAS -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to requiring institutions within the state university of New York and the city university of New York to have at least one vending machine on campus which makes emergency contraception available for purchase

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

1 Section 1. Subdivision 1 of section 355 of the education law is  
2 amended by adding a new paragraph g to read as follows:

3 g. The provision of emergency contraception available for purchase  
4 through at least one vending machine located on each state-operated  
5 institution and statutory or contract colleges in the state university.  
6 The vending machine shall be located in an area of campus where students  
7 can access the emergency contraception on weekends or after class hours.

8 (1) Emergency contraception made available through each vending  
9 machine shall satisfy, at a minimum, all of the following requirements:

10 (i) The emergency contraception shall be sold only in the manufactur-  
11 er's clearly labeled, original, unbroken, tamper-proof, and expiration-  
12 dated packaging.

13 (ii) The emergency contraception may not be older than the manufactur-  
14 er's expiration date.

15 (iii) The emergency contraception shall be stored in accordance with  
16 manufacturer recommendations.

17 (iv) The emergency contraception shall be made available at a reduced  
18 price, which shall not exceed forty dollars.

19 (2) Each vending machine shall have, at a minimum:

20 (i) an obvious and legible statement on the machine that identifies  
21 the owner of the machine;

22 (ii) a toll-free telephone number at which the consumer may contact  
23 the owner of the machine; and

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

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1 (iii) a statement advising the consumer to check the expiration date  
2 of the product before using the product.

3 (3) For the purposes of this paragraph, the term "emergency contracep-  
4 tion" means medication approved by the federal Food and Drug Adminis-  
5 tration that can significantly reduce the risk of pregnancy if taken  
6 within seventy-two hours after unprotected sexual intercourse.

7 § 2. Section 6206 of the education law is amended by adding a new  
8 subdivision 22 to read as follows:

9 22. The board of trustees shall adopt a policy requiring the provision  
10 of emergency contraception available for purchase through at least one  
11 vending machine located on each institution of the city university of  
12 New York. The vending machine shall be located in an area of campus  
13 where students can access the emergency contraception on weekends or  
14 after class hours.

15 (1) Emergency contraception made available through each vending  
16 machine shall satisfy, at a minimum, all of the following requirements:

17 (i) The emergency contraception shall be sold only in the manufactur-  
18 er's clearly labeled, original, unbroken, tamper-proof, and expiration-  
19 dated packaging.

20 (ii) The emergency contraception may not be older than the manufactur-  
21 er's expiration date.

22 (iii) The emergency contraception shall be stored in accordance with  
23 manufacturer recommendations.

24 (iv) The emergency contraception shall be made available at a reduced  
25 price, which shall not exceed forty dollars.

26 (2) Each vending machine shall have, at a minimum:

27 (i) an obvious and legible statement on the machine that identifies  
28 the owner of the machine;

29 (ii) a toll-free telephone number at which the consumer may contact  
30 the owner of the machine; and

31 (iii) a statement advising the consumer to check the expiration date  
32 of the product before using the product.

33 (3) For the purposes of this subdivision, the term "emergency contra-  
34 ception" means medication approved by the federal Food and Drug Adminis-  
35 tration that can significantly reduce the risk of pregnancy if taken  
36 within seventy-two hours after unprotected sexual intercourse.

37 § 3. This act shall take effect immediately.