STATE OF NEW YORK

4368

2023-2024 Regular Sessions

IN ASSEMBLY

February 14, 2023

Introduced by M. of A. TAGUE, MANKTELOW, DURSO, PALMESANO, BRABENEC, HAWLEY, SMULLEN, DeSTEFANO, GALLAHAN, WOERNER, LEMONDES -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to prohibiting certain COVID-19 mask and face covering mandates by state agencies

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

Section 1. The executive law is amended by adding a new section 170-g to read as follows:

§ 170-g. COVID-19 mask and face covering mandate. 1. No state agency shall promulgate rules, regulations or any form of guidance requiring individuals under the age of eighteen who are not exhibiting COVID-19 related symptoms, as defined by the centers for disease control and prevention, to wear a mask or face covering in a public place or while participating in any recreational or organized sporting activity.

2. For the purposes of this section:

(a) "state agency" shall mean any executive department, bureau, commission, agency, board or other agency, any public authority, and the judiciary and the legislature.

(b) "face-covering" shall include, but not be limited to, cloth masks, surgical masks or N95 respirators.

(c) "public place" shall not include facilities established pursuant to article twenty-eight of the public health law or private health care facilities.

§ 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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