

# STATE OF NEW YORK

4400--A

2023-2024 Regular Sessions

## IN SENATE

February 8, 2023

Introduced by Sens. WEBB, BROUK, GOUNARDES, HOYLMAN-SIGAL, KENNEDY, MAY, SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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. Section 355 of the education law is amended by adding a new  
2 subdivision 22 to read as follows:

3 22. The state university trustees shall be responsible for the  
4 provision of emergency contraception available for purchase through at  
5 least one vending machine, existing or new, located on each state-oper-  
6 ated institution in the state university no later than six months after  
7 the effective date of this subdivision. The vending machine shall be  
8 located in a secure area of campus where students can access the emer-  
9 gency contraception on weekends and after class hours. The location of  
10 the vending machine shall be included on the institution's website.

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

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

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

18 (iii) The emergency contraception shall be stored in accordance with  
19 manufacturer recommendations.

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

LBD06958-12-3

1 (iv) The emergency contraception shall be made available at a cost not  
2 to exceed the wholesale price.

3 (2) For the purposes of this subdivision, the term "emergency contra-  
4 ception" means over-the-counter medication to be self-administered that  
5 is approved by the federal Food and Drug Administration that can signif-  
6 icantly reduce the risk of pregnancy if taken within seventy-two hours  
7 after unprotected sexual intercourse.

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

10 22. The board of trustees shall adopt a policy requiring the provision  
11 of emergency contraception available for purchase through at least one  
12 vending machine, existing or new, located on each institution of the  
13 city university of New York no later than six months after the effective  
14 date of this subdivision. The vending machine shall be located in a  
15 secure area of campus where students can access the emergency contracep-  
16 tion on weekends and after class hours. The location of the vending  
17 machine shall be included on the institution's website.

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

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

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

25 (iii) The emergency contraception shall be stored in accordance with  
26 manufacturer recommendations.

27 (iv) The emergency contraception shall be made available at a cost not  
28 to exceed the wholesale price.

29 (2) For the purposes of this subdivision, the term "emergency contra-  
30 ception" means over-the-counter medication to be self-administered that  
31 is approved by the federal Food and Drug Administration that can signif-  
32 icantly reduce the risk of pregnancy if taken within seventy-two hours  
33 after unprotected sexual intercourse.

34 § 3. This act shall take effect immediately.