

# STATE OF NEW YORK

4400--C

2023-2024 Regular Sessions

## IN SENATE

February 8, 2023

Introduced by Sens. WEBB, BRESLIN, BROUK, CLEARE, COMRIE, COONEY, FERNANDEZ, GIANARIS, GOUNARDES, HINCHEY, HOYLMAN-SIGAL, JACKSON, KRUEGER, LIU, MAY, MYRIE, SALAZAR, SEPULVEDA, SKOUFIS -- 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 -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- 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 adopt a policy 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 offering in-person student  
7 instruction. The vending machine shall be located in a secure and  
8 accessible area of campus. The location of the vending machine shall be  
9 included on the institution's website.

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

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

LBD06958-20-4

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

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

6 (iii) The emergency contraception shall be stored in accordance with  
7 manufacturer recommendations.

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

13 § 2. Section 6206 of the education law is amended by adding a new  
14 subdivision 23 to read as follows:

15 23. The board of trustees shall adopt a policy requiring the provision  
16 of emergency contraception available for purchase through at least one  
17 vending machine, existing or new, located on each institution of the  
18 city university of New York offering in-person student instruction. The  
19 vending machine shall be located in a secure and accessible area of  
20 campus. The location of the vending machine shall be included on the  
21 institution's website.

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

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

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

29 (iii) The emergency contraception shall be stored in accordance with  
30 manufacturer recommendations.

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

36 § 3. This act shall take effect April 1, 2025. The boards of trustees  
37 for the state university of New York and the city university of New York  
38 shall adopt policies to implement the provisions of this act within 60  
39 days after this act shall have become a law.