STATE OF NEW YORK

1132

2023-2024 Regular Sessions

IN ASSEMBLY

January 13, 2023

Introduced by M. of A. L. ROSENTHAL -- Multi-Sponsored by -- M. of A. McDONOUGH -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to the definition of an indoor area; and to repeal certain provisions of such law relating thereto

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

Section 1. Section 1399-n of the public health law is amended by adding a new subdivision 12 to read as follows:

12. "Indoor area" means any area with a full or partial roof covering, including an area with a roof or ceiling in place, which may be a fixed or movable roof or ceiling, where the total actual area of the wall surfaces exceeds seventy-five percent of the total notional wall area, and which allow the free flow of air without the assistance of mechanical ventilation, as defined by the commissioner. The commissioner may determine and enforce a lower percentage of total actual area to notional wall area, as deemed necessary to protect the public health and the intent of this article, provided, however, that the maximum percentage determined is not lower than fifty percent of the total notional wall area. The commissioner shall promulgate such rules and regulations as are necessary to define notional wall area, mechanical ventilation, and related building specifications needed to determine whether a structure falls within the definition of indoor area.

§ 2. Section 1399-x of the public health law is REPEALED.

§ 3. 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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