STATE OF NEW YORK

1913

2023-2024 Regular Sessions

IN ASSEMBLY

January 23, 2023

Introduced by M. of A. DINOWITZ -- read once and referred to the Committee on Local Governments

AN ACT to amend the arts and cultural affairs law, in relation to enacting the "fairly applying individual requirements for vaccine mandates (FAIR Vaccine Mandates) act"

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

Section 1. Short title. This act may be cited and shall be known as the "fairly applying individual requirements for vaccine mandates (FAIR Vaccine Mandates) Act".

§ 2. The arts and cultural affairs law is amended by adding a new section 61.14 to read as follows:

§ 61.14. Equity of vaccine requirements in entertainment and the arts. A local government may, by local law, rule or executive order, require performers, athletes, employees, attendees, and/or any other person or category of persons be vaccinated against COVID-19 to enter a place of entertainment, provided such local government may not exempt any person from the vaccination requirements based upon a person's place of residency or usual employment. As used in this section, "place of entertainment" means any privately or publicly owned and operated entertainment facility such as a theatre, stadium, arena, racetrack, museum, amusement park or other place where performances, concerts, exhibits, athletic games or contests are held for which an entry fee is charged.

§ 3. This act shall take effect immediately; provided that any local law, rule, or executive order requiring vaccination against COVID-19 to enter a place of entertainment in effect on the effective date of this act which local law, rule, or order does not comply with the provisions of this act shall remain in effect, but any person who was previously exempt from any such local law, rule, or executive order requirement due to their place of residency or usual employment shall no longer be exempt.

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

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