

# STATE OF NEW YORK

2891

2023-2024 Regular Sessions

## IN ASSEMBLY

January 31, 2023

Introduced by M. of A. SHIMSKY -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to guidelines for onsite opioid overdose response capacity in nightlife establishments; and to repeal section 3309-b of such law relating to the nightlife opioid antagonist program

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

1 Section 1. Section 3309-b of the public health law, as added by a  
2 chapter of the laws of 2022 amending the public health law relating to  
3 establishing the nightlife opioid antagonist program, as proposed in  
4 legislative bills numbers S. 8633-A and A. 9697-A, is REPEALED.

5 § 2. Paragraph (a) of subdivision 3 of section 3309 of the public  
6 health law is amended by adding a new subdivision (vi) to read as  
7 follows:

8 (vi) "Nightlife establishment" means an establishment that is open to  
9 the public for entertainment or leisure, serves alcohol or where alcohol  
10 is consumed on the premises, and conducts a large volume of business at  
11 night. Such term includes, but is not limited to, bars, entertainment  
12 venues, clubs and restaurants.

13 § 3. Section 3309 of the public health law is amended by adding a new  
14 subdivision 8 to read as follows:

15 8. The commissioner shall establish guidelines for onsite opioid over-  
16 dose response capacity in nightlife establishments.

17 § 4. This act shall take effect on the same date and in the same  
18 manner as a chapter of the laws of 2022 amending the public health law  
19 relating to establishing the nightlife opioid antagonist program, as  
20 proposed in legislative bills numbers S. 8633-A and A. 9697-A, takes  
21 effect.

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

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