STATE OF NEW YORK

5582--A

2023-2024 Regular Sessions

IN ASSEMBLY

March 16, 2023

Introduced by M. of A. K. BROWN -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to requiring certain persons attend the electronic cigarette and vaping prevention, awareness and control program

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

Section 1. Section 1399-ii-1 of the public health law, as added by section 11 of part EE of chapter 56 of the laws of 2020, is amended to read as follows:

§ 1399-ii-1. Electronic cigarette and vaping prevention, awareness and control program. **1.** The commissioner shall, in consultation and collaboration with the commissioner of education, establish and develop an electronic cigarette and vaping prevention, control and awareness program within the department. Such program shall be designed to educate students, parents and school personnel about the health risks associated with vapor product use and control measures to reduce the prevalence of vaping, particularly among persons less than twenty-one years of age. Such program shall include, but not be limited to, the creation of age-appropriate instructional tools and materials that may be used by all schools, and marketing and advertising materials to discourage electronic cigarette use.

2. The department shall contact the parents and/or guardians of any such person enrolled in secondary education who is found to be using or in possession of an electronic cigarette or vapor product while less than twenty-one years of age and inform them of such person's use or possession of an electronic cigarette or vapor product. Such person and the parents and/or guardians of such person shall be required to attend the electronic cigarette or vapor product prevention, control and awareness program established under subdivision one of this section.

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

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§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.