STATE OF NEW YORK

4400

2023-2024 Regular Sessions

IN SENATE

February 8, 2023

Introduced by Sen. WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

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:

Section 1. Subdivision 1 of section 355 of the education law is amended by adding a new paragraph g to read as follows:

g. The provision of emergency contraception available for purchase through at least one vending machine located on each state-operated institution and statutory or contract colleges in the state university. The vending machine shall be located in an area of campus where students can access the emergency contraception on weekends or after class hours.

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

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

(ii) The emergency contraception may not be older than the manufacturer's expiration date.

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

(iv) The emergency contraception shall be made available at a reduced price, which shall not exceed forty dollars.

(2) Each vending machine shall have, at a minimum:

(i) an obvious and legible statement on the machine that identifies the owner of the machine;

(ii) a toll-free telephone number at which the consumer may contact the owner of the machine; and

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

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(iii) a statement advising the consumer to check the expiration date of the product before using the product.

(3) For the purposes of this paragraph, the term "emergency contraception" means medication approved by the federal Food and Drug Administration that can significantly reduce the risk of pregnancy if taken within seventy-two hours after unprotected sexual intercourse.

§ 2. Section 6206 of the education law is amended by adding a new subdivision 22 to read as follows:

22. The board of trustees shall adopt a policy requiring the provision of emergency contraception available for purchase through at least one vending machine located on each institution of the city university of New York. The vending machine shall be located in an area of campus where students can access the emergency contraception on weekends or after class hours.

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

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

(ii) The emergency contraception may not be older than the manufacturer's expiration date.

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

(iv) The emergency contraception shall be made available at a reduced price, which shall not exceed forty dollars.

(2) Each vending machine shall have, at a minimum:

(i) an obvious and legible statement on the machine that identifies the owner of the machine;

(ii) a toll-free telephone number at which the consumer may contact the owner of the machine; and

(iii) a statement advising the consumer to check the expiration date of the product before using the product.

(3) For the purposes of this subdivision, the term "emergency contraception" means medication approved by the federal Food and Drug Administration that can significantly reduce the risk of pregnancy if taken within seventy-two hours after unprotected sexual intercourse.

§ 3. This act shall take effect immediately.