STATE OF NEW YORK

10186

IN ASSEMBLY

February 12, 2026

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

AN ACT to amend the public health law, in relation to enacting the "public health resilience, early-warning, and planning (PREP) act"

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

Section 1. Short title. This act shall be known and may be cited as the "public health resilience, early-warning, and planning (PREP) act".

§ 2. Legislative findings and intent. 1. The legislature finds that public health threats to the residents of the state increasingly arise from environmental conditions, climate-related impacts, emerging infectious diseases, and interconnected global systems that affect health care capacity, emergency response, and community well-being.

2. The legislature further finds that early detection of public health threats, coordinated preparedness planning, and timely response reduces illness and loss of life, limits strain on health care systems, and protects critical infrastructure and essential services.

3. The legislature further finds that access to domestic and international public health surveillance information, when used in a non-binding and advisory capacity, enhances the state's ability to anticipate and prepare for public health threats without creating binding legal or financial obligations.

4. It is therefore the intent of the legislature to establish a durable statutory framework to strengthen public health resilience, early-warning, and planning through coordinated surveillance, preparedness, and response activities, while preserving state sovereignty, protecting individual privacy, and ensuring consistency with state and federal law.

§ 3. The public health law is amended by adding a new section 206-c to read as follows:

§ 206-c. Public health resilience, early-warning, and planning framework. 1. The commissioner shall establish and maintain within the department a public health resilience, early-warning, and planning framework to identify, assess, and prepare for public health threats that may affect the residents of the state.

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

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2. The framework shall include but not be limited to public health risks associated with:

(a) extreme heat events;

(b) degraded air quality, including air quality related to smoke and the ozone;

(c) vector-borne and zoonotic diseases;

(d) flooding, severe weather, and related environmental conditions;

(e) emerging infectious diseases; and

(f) other conditions that may strain public health systems or emergency response capacity.

3. (a) The department is authorized to utilize public health surveillance data, analyses, and technical information from domestic and international sources to inform preparedness, planning, and response activities under this section.

(b) Such sources may include, but are not limited to, federal public health agencies, academic and research institutions, and non-binding international public health surveillance and outbreak response networks, including the Global Outbreak Alert and Response Network coordinated by the World Health Organization.

(c) Utilization of information pursuant to this subdivision shall be limited to technical cooperation, situational awareness, and advisory purposes and shall not constitute membership in an international organization or create any binding legal or financial obligation.

4. (a) The commissioner shall establish within the department a climate and global health surveillance unit responsible for:

(i) monitoring domestic and international public health signals relevant to the state;

(ii) translating such information into early-warning indicators and preparedness guidance;

(iii) coordinating surveillance and preparedness activities with state agencies and local health departments; and

(iv) advising the commissioner on emerging public health threats.

(b) The unit shall serve as the primary point of coordination for participation in any non-binding international public health surveillance or outbreak response network utilized pursuant to this section.

5. The department shall use information generated under this section to support:

(a) public health preparedness and response planning;

(b) hospital and health system surge readiness;

(c) advisory guidance to local health departments, health care providers, and other relevant entities; and

(d) coordination with emergency management authorities, as appropriate.

6. The commissioner may coordinate activities under this section with other state agencies, including but not limited to the division of homeland security and emergency services, the department of environmental conservation, the department of agriculture and markets, and transportation or infrastructure authorities, as necessary to support public health preparedness and response.

7. (a) Any guidance, recommendations, or technical standards utilized or received pursuant to this section shall be advisory only and shall not have the force of law unless otherwise adopted pursuant to state statute or regulation.

(b) Nothing in this section shall be construed to authorize the execution of any treaty or binding international agreement, supersede

state or federal law, or permit the department to act on behalf of the United States in foreign affairs.

8. Any sharing or use of data pursuant to this section shall comply with all applicable state and federal laws governing privacy, confidentiality, and data security and shall not require the disclosure of personally identifiable information except as otherwise authorized by law.

9. The commissioner shall submit an annual report to the governor and the legislature summarizing activities conducted pursuant to this section, including preparedness efforts, interagency coordination, and any recommendations for legislative or regulatory action.

§ 4. Severability. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 5. This act shall take effect immediately.