STATE OF NEW YORK

149--A

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. ROSENTHAL, WEPRIN, COLTON -- read once and referred to the Committee on Health -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law and the public health law, in relation to epinephrine in schools

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

Section 1. Subdivision 1 of section 921-a of the education law, as amended by chapter 502 of the laws of 2025, is amended to read as follows:

1. School districts, boards of cooperative educational services, county vocational education and extension boards, charter schools, and non-public elementary and secondary schools in this state [~~may~~] **shall** provide and maintain on-site in each instructional school facility epinephrine devices in quantities and types deemed by the commissioner, in consultation with the commissioner of health, to be adequate to ensure ready and appropriate access for use during emergencies to any student or staff having anaphylactic symptoms whether or not there is a previous history of severe allergic reaction.

§ 2. Paragraph (f) of subdivision 2 of section 3000-c of the public health law, as amended by chapter 502 of the laws of 2025, is amended to read as follows:

(f) Nothing in this section shall require any eligible person or entity to acquire, possess, store, make available, or administer an epinephrine device, except as provided for in subdivision five-e of section two hundred twenty-five of this chapter **and subdivision one of section nine hundred twenty-one-a of the education law**.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law.

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

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