

STATE OF NEW YORK

3958

2025-2026 Regular Sessions

IN SENATE

January 31, 2025

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law and the general business law, in relation to requiring children enrolled in an overnight, children's non-regulated, summer day, or travelling camp to be vaccinated

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

1 Section 1. Section 1394 of the public health law is amended by adding
2 two new subdivisions 6-a and 6-b to read as follows:

3 6-a. Each children's overnight, summer day, and travelling summer day
4 camp shall ensure that every child enrolled at such camp has been admin-
5 istered an adequate dose or doses of an immunizing agent against poliomy-
6 elitis, mumps, measles, diphtheria, rubella, varicella, Haemophilus
7 influenzae type b (Hib), pertussis, tetanus, pneumococcal disease, and
8 hepatitis B, which meets the standards approved by the United States
9 public health service for such biological products, and which is
10 approved by the department under such conditions as may be specified by
11 the public health council. If any health practitioner, as defined in
12 section twenty-one hundred sixty-four of this chapter, certifies that
13 such immunization may be detrimental to a child's health, the require-
14 ments of this subdivision shall be inapplicable until such immunization
15 is found no longer to be detrimental to such child's health. The commis-
16 sioner shall promulgate such rules and regulations as shall be necessary
17 to implement the provisions of this subdivision.

18 6-b. Staff at all children's camps defined in section thirteen hundred
19 ninety-two of this article shall provide a camp operator with a current
20 certificate of immunization history for diphtheria, measles, meningococ-
21 cal meningitis, mumps, pertussis, rubella, tetanus, and varicella. If
22 any health practitioner, as defined in section twenty-one hundred
23 sixty-four of this chapter, certifies that such immunizations are detri-
24 mental to the individual's health, the requirements of this subdivision

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

LBD06996-01-5

1 shall be inapplicable until such immunization is found no longer to be
2 detrimental to such individual's health. The commissioner shall promul-
3 gate such rules and regulations as shall be necessary to implement the
4 provisions of this subdivision.

5 § 2. Section 398-f of the general business law is amended by adding
6 two new subdivisions 4 and 5 to read as follows:

7 4. Notwithstanding any other provision of this section relating to
8 department of health regulations, every children's non-regulated camp
9 shall ensure that every child enrolled at such camp has been adminis-
10 tered an adequate dose or doses of an immunizing agent against poliomy-
11 elitis, mumps, measles, diphtheria, rubella, varicella, Haemophilus
12 influenzae type b (Hib), pertussis, tetanus, pneumococcal disease, and
13 hepatitis B, which meets the standards approved by the United States
14 public health service for such biological products, and which is
15 approved by the department of health under such conditions as may be
16 specified by the public health and health planning council. If any
17 health practitioner, as defined in section twenty-one hundred sixty-four
18 of the public health law, certifies that such immunization may be detri-
19 mental to a child's health, the requirements of this subdivision shall
20 be inapplicable until such immunization is found no longer to be detri-
21 mental to such child's health. The commissioner of health shall promul-
22 gate such rules and regulations as shall be necessary to implement the
23 provisions of this subdivision.

24 5. Staff at all children's non-regulated camps shall provide a camp
25 operator with a current certificate of immunization history for diphthe-
26 ria, measles, meningococcal meningitis, mumps, pertussis, rubella, teta-
27 nus, and varicella. If any health practitioner, as defined in section
28 twenty-one hundred sixty-four of the public health law, certifies that
29 such immunizations are detrimental to the individual's health, the
30 requirements of this subdivision shall be inapplicable until such immun-
31 ization is found no longer to be detrimental to such individual's
32 health. The commissioner of health shall promulgate such rules and regu-
33 lations as shall be necessary to implement the provisions of this subdi-
34 vision.

35 § 3. Paragraph (a) of subdivision 2 of section 398-f of the general
36 business law, as amended by chapter 248 of the laws of 2022, is amended
37 to read as follows:

38 (a) No person, firm, corporation or association shall enroll or allow
39 participation of a child in a children's non-regulated camp unless the
40 parent or guardian of the child has been provided with the following
41 written notice on the application or enrollment form:

42 "This camp is not regulated or inspected by the New York State Depart-
43 ment of Health and is not required to obtain a Department of Health
44 permit. This camp is not required to follow Department of Health regu-
45 lations[~~, including,~~] regarding maintaining minimum staff-to-child
46 ratios; hiring medical personnel; or reporting injuries or illnesses to
47 the Department of Health."

48 § 4. Paragraph (a) of subdivision 2 of section 398-f of the general
49 business law, as amended by chapter 63 of the laws of 2024, is amended
50 to read as follows:

51 (a) No person, firm, corporation or association shall enroll or allow
52 participation of a child in a children's non-regulated camp unless such
53 non-regulated camp has registered with the department of health, in a
54 form and manner prescribed by the department of health, on an annual
55 basis and the parent or guardian of the child has been provided with the
56 following written notice on the application or enrollment form:

1 "This camp is registered with but not regulated or inspected by the
2 New York State Department of Health and is not required to obtain a
3 Department of Health permit. This camp is not required to follow Depart-
4 ment of Health regulations[~~, including,~~ regarding maintaining minimum
5 staff-to-child ratios; hiring medical personnel; or reporting injuries
6 or illnesses to the Department of Health."

7 § 5. This act shall take effect on the first of October next succeed-
8 ing the date on which it shall have become a law; provided, however,
9 that section four of this act shall take effect on the same date and in
10 the same manner as section 4 of chapter 63 of the laws of 2024 takes
11 effect.