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Youth And Government

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Committee Assignment: Senate Freedom 1

Bill #:SF-02

1 **Sponsors:** Grayson Hawthorn

2 **An Act To** Amend Labor Law § 376 to require all restaurants in New York State to
3 have epinephrine auto-injectors on site.

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

5 **Summary of Provisions**

6 **Section 1: Definitions**

7 **Epinephrine Auto-Injector:** a USP (United States Pharmacopeia) certified tool for
8 injecting epinephrine to treat allergic reactions

9 **Anaphylactic Shock:** an extreme, often life-threatening allergic reaction where the
10 body becomes hypersensitive

11 **Section 2**

12 §376 Every mercantile establishment and restaurant shall be so constructed,
13 equipped and maintained as to provide reasonable and adequate protection to the
14 lives, health and safety of all persons employed therein and frequenting the same.
15 Every room in a mercantile establishment or restaurant and every part thereof and
16 all fixtures therein shall at all times be kept sanitary. Floors shall be kept in safe
17 condition. Suitable receptacles shall be provided and used for the storage of waste
18 and refuse, and shall be maintained in a sanitary condition. Each restaurant shall be
19 required to have at least two epinephrine auto-injectors on site.

20 **Justification**

21 The safety of the public should be an essential function of government. When the
22 safety of individuals are threatened, the government has an obligation to take
23 action and amend the issue through law. In New York State, approximately one in
24 every thirteen individuals is afflicted with food allergies. Given a low estimation of
25 500 people entering a single McDonalds' in one day, 38 of these individuals will
26 have some type of food allergy. In other words, there are 38 opportunities for a
27 clumsy cook to make a mistake, potentially causing individuals to die. It is the duty
28 of this legislative body to protect the people of New York. Using an epinephrine
29 auto-injector gives the afflicted individual a crucial fifteen minutes before
30 anaphylactic shock, a time in which a hospital can be called to administer proper
31 medical attention. Just as a fire extinguisher is required in the emergency of a fire,
32 an epinephrine auto-injector must be required to remedy the emergency of an
33 allergic reaction.

34 **Fiscal Implications** Restaurants will be required to pay for the epinephrine auto-
35 injectors. The state will bear no fiscal responsibility

36
37 **Environmental Implications** There will be no environmental implications.

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39 **Effective Date** The bill will go into effect one year after passage to allow time for
40 restaurants to acquire the epinephrine auto-injectors