



NEW YORK STATE SENATOR

Suzi Oppenheimer

Oppenheimer and Paulin Hail Governor's Signing of Bill to Empower Local Boards of Health

SUZI OPPENHEIMER August 9, 2011

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Assemblywoman Amy Paulin (D-Scarsdale) and Senator Suzi Oppenheimer (D-Mamaroneck) are pleased to announce that their bill allowing local boards of health to impose civil penalties equal to those imposed by the State of New York has been signed into law by Governor Andrew Cuomo (S. S.3470/A.346).

The new law will eliminate a disparity in the civil penalties that can be assessed for a violation of the public health law or regulations or the State Sanitary Code. Previously, the State could impose a penalty of up to \$2,000 per violation, while a local board of health was limited to a maximum penalty of \$1000.

“We rely on our local boards of health to enforce the State’s Sanitary Code, so it seems only logical that they be permitted to impose the same financial penalties as the State for unlawful actions that endanger public health,” said Senator Oppenheimer. “Local boards of health have long felt that the disparity in penalties diminishes their effectiveness in enforcing the law.”

Paulin and Oppenheimer believe that the ability to impose tougher penalties will give local boards greater leverage to bring violators into compliance.

“The imposition, whether real or threatened, of a higher penalty will serve as a more effective deterrent to business operators who might otherwise remain lax in upholding sanitary standards,” Assemblywoman Paulin notes.

The legislators point out that the law only provides local boards of health with the ability to match the State’s civil penalties, but does not require them to do so.

“The intent is to provide local authorities with the tools to enforce its orders and the regulations of the State Sanitary Code as swiftly and effectively as possible,” says the 88th District Assemblywoman, “to best protect the public health.”

“I am pleased to have worked with my colleague, Assemblywoman Paulin, on this common sense legislation,” concluded Senator Oppenheimer, “and I thank Governor Cuomo for signing the bill into law.”