

Assembly Bill A416

2021-2022 Legislative Session

Relates to the removal of cases, contacts and carriers of communicable diseases who are potentially dangerous to the public health

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A416 (ACTIVE) - DETAILS

Current Committee:

Assembly Health

Law Section:

Public Health Law

Laws Affected:

Add §2120-a, Pub Health L

Versions Introduced in Other Legislative Sessions:

2015-2016: [A6891 \(/Legislation/bills/2015/A6891\)](#)

2017-2018: [A680 \(/Legislation/bills/2017/A680\)](#)

2019-2020: [A99 \(/Legislation/bills/2019/A99\)](#)

A416 (ACTIVE) - SUMMARY

Relates to the removal of cases, contacts and carriers of communicable diseases that are potentially dangerous to the public health.

A416 (ACTIVE) - BILL TEXT

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STATE OF NEW YORK

416

2021-2022 Regular Sessions

IN ASSEMBLY

(PREFILED)

January 6, 2021

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

AN ACT to amend the public health law, in relation to the removal of cases, contacts and carriers of communicable diseases who are potentially dangerous to the public health

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The public health law is amended by adding a new section 2120-a to read as follows:

§ 2120-A. REMOVAL AND DETENTION OF CASES, CONTACTS AND CARRIERS WHO ARE OR MAY BE A DANGER TO PUBLIC HEALTH; OTHER ORDERS. 1. THE PROVISIONS OF THIS SECTION SHALL BE UTILIZED IN THE EVENT THAT THE GOVERNOR DECLARES A STATE OF HEALTH EMERGENCY DUE TO AN EPIDEMIC OF ANY COMMUNICABLE DISEASE.

2. UPON DETERMINING BY CLEAR AND CONVINCING EVIDENCE THAT THE HEALTH OF OTHERS IS OR MAY BE ENDANGERED BY A CASE, CONTACT OR CARRIER, OR SUSPECTED CASE, CONTACT OR CARRIER OF A CONTAGIOUS DISEASE THAT, IN THE OPINION OF THE GOVERNOR, AFTER CONSULTATION WITH THE COMMISSIONER, MAY POSE AN IMMINENT AND SIGNIFICANT THREAT TO THE PUBLIC HEALTH RESULTING IN SEVERE MORBIDITY OR HIGH MORTALITY, THE GOVERNOR OR HIS OR HER DELEEGEE, INCLUDING, BUT NOT LIMITED TO THE COMMISSIONER OR THE HEADS OF LOCAL HEALTH DEPARTMENTS, MAY ORDER THE REMOVAL AND/OR DETENTION OF SUCH A PERSON OR OF A GROUP OF SUCH PERSONS BY ISSUING A SINGLE ORDER, IDENTIFYING SUCH PERSONS EITHER BY NAME OR BY A REASONABLY SPECIFIC DESCRIPTION OF THE INDIVIDUALS OR GROUP BEING DETAINED. SUCH PERSON OR GROUP OF PERSONS SHALL BE DETAINED IN A MEDICAL FACILITY OR OTHER APPROPRIATE FACILITY OR PREMISES DESIGNATED BY THE GOVERNOR OR HIS OR HER DELEEGEE AND COMPLYING WITH SUBDIVISION FIVE OF THIS SECTION.

3. A PERSON OR GROUP REMOVED OR DETAINED BY ORDER OF THE GOVERNOR OR HIS OR HER DELEEGEE PURSUANT TO SUBDIVISION TWO OF THIS SECTION SHALL BE

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets

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Veronica__Peralta • 2 days ago

I opposed this bill, the government SHOULD NOT going against any individual's wills.

Reply • Share ›

Maria Regla Gomez • 3 days ago

Why isn't this letting me vote! I vote NNNNAAAAYYYYYYYYYY!!!! NO WAY, NAY!!!!

Reply • Share ›

Erika_A • 13 days ago

Just NO.

Reply • Share ›

Alison_Aitchison • 20 days ago

This is a violation of fundamental human rights. The government should be working for the people, not locking them up without cause.

Reply • Share ›

David Peralta → Jeffboy • 2 days ago

It's already enumerated under federal law and the CDC's powers. State governments are ill equipped and educated to make those assertions and judgements against what are otherwise global contagions. Are you not concerned about the ambiguity in the terms "potentially" and "dangerous"? Please provide rigid definitions for those, and you have opposition and/or my support.

Reply • Share ›

Hardwurkindaddy • 2 months ago • ★★★★★

Wow. In this day and age we are proposing segregation and concentration camps in the general assembly? Just goes to show how those who do not learn from history are certainly doomed to repeat it.

Reply • Share ›

Ania Raczka • 3 months ago • edited • ★★★★★

Scary.

Reply • Share ›

Carla Teresa White • 3 months ago

No. Much too vague and it's unconstitutional.

Reply • Share ›

Thomas Santos • 3 months ago • ★★★★★

Scary times.

Reply • Share ›

Thomas Johnson • 3 months ago

Welcome to the Police State

Reply • Share ›

This comment was deleted.

Amanda_Passineau_2 → Guest • 2 months ago

Agree!!

Reply • Share ›

coches ags • 4 months ago

A way to detain anyone by simple administering a PCR test with enough cycles

Reply • Share ›

Kristin_Adams_1 • 5 months ago • ★★★★★

Absolutely disgusting!

Reply • Share ›

Mark DelMedico • 6 months ago

this bill is crazy these politicians need to get some sense

Dorothie Shaulis • 6 months ago • edited

this violates peoples rights under the law and their right to privacy , if you start a warrant for those exposed to an illness it becomes public record which then leads to a violation against hippa laws not to mention privacy laws , and other laws that violate the liberties of individuals .

Reply • Share ›

Samatha Salire • 6 months ago

bad bill ,it contradicts the bill that was established after typhoid mary was housed in a facility .. it goes against several health and privacy laws ,backed by the Constitution, and hippa ,and is not necessary to remove people from their homes

Reply • Share ›

Patterson Glen Farm • 7 months ago • edited

No medical personnel mentioned, no lab tests, only the governor and commissioner are mentioned to decide on "suspected" cases. That could be anyone. This is unacceptable.

Reply • Share ›

Maria_Gofman • 7 months ago • edited

There are more effective ways to maintain public health safety. The foundational one is to prevent diseases and lower medication prices and copays. Prevention can be done by giving all citizens access to health services through universal healthcare coverage.

Reply • Share ›

Ali Swanson • 7 months ago

YOU ARE ALL OUT OF YOUR MINDS
FORCING PEOPLE!

You realize you're in America right?

Reply • Share ›

Alexander_Portelli • 7 months ago

New york should forcibly remove power hungry politicians who are a threat to the public instead

Reply • Share ›

New York State Senate Mod → **Alexander_Portelli** • 2 months ago

<https://www.ny.gov/services...>

Reply • Share ›

Sasha_Freeman_1 • 7 months ago • edited

This bill must be opposed. No forced medical procedure by our government can EVER be tolerated. We are not animals. We are citizens with inalienable RIGHTS. OPPOSE THIS NONSENSE AND ANY POLITICIAN THAT SUPPORTS THIS!

Reply • Share ›

Vicky • 8 months ago

Hell No!!

Reply • Share ›

Reply • Share ›

Ariadna__Garcia • 8 months ago

This bill is a complete human right violation 😭😭😭

Reply • Share ›

MTG Dads • 8 months ago

Seems pretty scary. Giving the governor, his delegate or local health official the ability to detain someone for no reason other than they want to...

Reply • Share ›

Wayne Johnson • 8 months ago

How would it be determined who was a carrier?

Reply • Share ›

Dominic DaMore • 8 months ago

This is disgusting

Reply • Share ›

Felipe Luis Solanet • 8 months ago

What is the status today of this bill? Did it pass senate yet? Did it suffer modifications? If so, where can I get the text as of today?

thank you

Reply • Share ›

@NYSenate Mod → Felipe Luis Solanet • 2 months ago • edited

This bill has no Senate sponsor and is currently ineligible for a floor vote. This is the most recent introduced version.

Reply • Share ›

Amanda_Mulvaney → @NYSenate • 2 months ago • edited

Why is this even up for discussion????? IT IS UNCONSTITUTIONAL. THE CONSTITUTION SUPERCEDES ALL STATE LAWS OR MANDATES. 😞 IM TIRED OF THIS CORRUPTION. WHERE ARE THE LEADERS?? WHERE ARE MEN AND WOMEN WITH REASON?

Reply • Share ›

@NYSenate Mod → Amanda_Mulvaney • 2 months ago

The bill is only up for discussion because it exists in the database. If you want to advocate against an active version, you will have to wait until it is reintroduced.

Reply • Share ›

Free Q • 9 months ago

Welcome to the world of medical tyranny. How can so many Senators be so ignorant to what freedom means? Do you see the public reaction? Wake up, you are on the wrong path and your fears are leading to your end.

Reply • Share ›

Reply • Share ›

Rebecca • 9 months ago

According to Jefferson, the people should establish a new government if the present one doesn't serve them. This is because governments exist to secure certain unalienable rights, and if they cannot do so, then the people have the right to alter or abolish them. It is important to understand the concept of government as held by Jefferson and set out in the Declaration of Independence. Jefferson believed that governments exist to secure what the Declaration calls "certain unalienable Rights," such as "Life, Liberty, and the pursuit of Happiness."

If, for whatever reason, any form of government is unable to secure these rights, in other words, to do what it is expressly established to do, then the people have the right to alter or abolish it and institute a new form of government!

This is where we stand my fellow Americans!

Reply • Share ›

Debra Boos • 10 months ago

Unconstitutional

Reply • Share ›

Melissa Humphreys • 10 months ago

The wording is incorrect. It should state may quarantine, not detain. Really you all screwed the pooch on this One. Why do you complicate things and then wonder why the public get angry? You are trying to criminalize illness with this wording. No you need to change this NOW. Use better wording. If me the common person can see this and figure this out. Why can't you.

Reply • Share ›

Hardwurkindaddy → Melissa Humphreys • 2 months ago

Because it's not about safety and it's not about health. It's about detaining anyone they see fit for any reason they decide to do so.

Reply • Share ›

Christy Waitowicz • a year ago

So they can remove people from their own home? And put them where'?

Reply • Share ›

Cva175 • a year ago • ★★★★★

Ahh look the NYS mini-mall of tyrants is at it again. Firearms ? No your a peon. Homeschool ? Jump through hoops like the scum bag you are. Feeling a sneeze ? GO STRAIGHT TO FN JAIL.

People of NYS - THESE "people" WORK FOR US. WE CANNOT LET our Republic fail due to complacent lack of interest. THESE DEGENERATE "politicians" need to be emailed - called - visited IN PERSON and told off like the dogs they are. This is America not CCP - WHAT ELSE LEFT WILL YOU GIVE AWAY CAUSE Muh "Pension - not muh problem". It's our problem. And it's coming straight into our front doors. Boot first. WAKE UP.

Reply • Share ›

Phil Anton • a year ago

Reply • Share ›

James Vickery • a year ago • ★★★★★