

3601--A

2009-2010 Regular Sessions

I N S E N A T E

March 25, 2009

Introduced by Sens. PARKER, DILAN, MONTGOMERY -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families -- reported favorably from said committee and committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to requiring certain day care centers to provide twelve months notice before it intends to close its facility

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

1 Section 1. The social services law is amended by adding a new section
2 390-g to read as follows:
3 S 390-G. NOTICE REQUIREMENT BEFORE CLOSING CERTAIN DAY CARE CENTERS.
4 1. FOR THE PURPOSES OF THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE
5 FOLLOWING MEANINGS:
6 (A) "CHILD DAY CARE CENTER" SHALL MEAN A CHILD DAY CARE CENTER AS
7 DEFINED IN PARAGRAPH (C) OF SUBDIVISION ONE OF SECTION THREE HUNDRED
8 NINETY OF THIS TITLE.
9 (B) "PERSON LEGALLY RESPONSIBLE" SHALL MEAN A PERSON LEGALLY RESPONSIBLE
10 AS DEFINED IN SUBDIVISION (G) OF SECTION ONE THOUSAND TWELVE OF THE
11 FAMILY COURT ACT.
12 2. (A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, IN
13 A CITY HAVING A POPULATION OF ONE MILLION OR MORE, IF THE SOCIAL
14 SERVICES DISTRICT SEEKS TO CLOSE A CHILD DAY CARE CENTER UNDER CONTRACT
15 WITH SUCH DISTRICT, IT SHALL PROVIDE AT LEAST TWELVE MONTHS WRITTEN
16 NOTICE TO THE CHILD DAY CARE CENTER AND THE PARENTS OR PERSONS LEGALLY
17 RESPONSIBLE FOR CHILDREN ENROLLED IN SUCH CENTERS, PRIOR TO THE CLOSING.
18 (B) PARAGRAPH (A) OF THIS SUBDIVISION SHALL NOT APPLY IN CASES WHERE A
19 LOCAL SOCIAL SERVICES DISTRICT SEEKS TO CLOSE A CHILD DAY CARE CENTER
20 FOR VIOLATING THE REGULATIONS OF THE OFFICE OF CHILDREN AND FAMILY
21 SERVICES, OR FOR HEALTH AND SAFETY REASONS.
22 S 2. This act shall take effect on the one hundred twentieth day after
23 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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