S T A T E O F N E W Y O R K

1199

2011-2012 Regular Sessions

I N S E N A T E

January 5, 2011

Introduced by Sen. GRIFFO -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to providing additional discharge planning for persons being released from civil confinement

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

Section 1. Section 10.09 of the mental hygiene law is amended by adding a new subdivision (i) to read as follows:

(I) IF THE COURT DISCHARGES THE RESPONDENT FROM CONFINEMENT THEN THE COURT SHALL ORDER THE DIRECTOR OF THE SECURE TREATMENT FACILITY TO PREPARE A DISCHARGE PLAN. SUCH PLAN SHALL ENSURE THAT THE RESPONDENT IS DISCHARGED TO HIS OR HER COUNTY OF RESIDENCE PRIOR TO THE CONVICTION OR COMMITMENT, AS APPROPRIATE, WITH SUPERVISION WHICH SHALL INCLUDE THE USE OF ELECTRONIC MONITORING OR GLOBAL POSITIONING SATELLITE TRACKING FOR AN APPROPRIATE PERIOD OF TIME TO BE DETERMINED BY THE COURT. THE RESPONDENT SHALL BE PROVIDED SUITABLE CLOTHING ADAPTED TO THE SEASON IN WHICH HE OR SHE IS DISCHARGED AND SUCH CLOTHING SHALL NOT EXCEED SIXTY-FIVE DOLLARS IN VALUE. SUCH PLAN SHALL ALSO PROVIDE FOR TRANSPORTATION TO SUCH RESIDENCE AND INCLUDE REFERRAL TO ANY SERVICES WHICH THE COMMISSIONER DEEMS APPROPRIATE IN THE COMMUNITY OF RESIDENCE, INCLUDING MEDICATION, AFTERCARE SERVICES AND ASSISTANCE IN FINDING EMPLOYMENT FOLLOWING DISCHARGE AS PROVIDED IN SECTION 29.15 OF THIS CHAPTER.

S 2. Section 10.11 of the mental hygiene law is amended by adding a new subdivision (i) to read as follows:

(I) IF THE COURT DISCHARGES THE RESPONDENT FROM THE REGIMEN OF STRICT AND INTENSIVE SUPERVISION THEN THE COURT SHALL ORDER THE DIRECTOR OF THE SECURE TREATMENT FACILITY TO PREPARE A DISCHARGE PLAN. SUCH PLAN SHALL ENSURE THAT THE RESPONDENT IS DISCHARGED TO HIS OR HER COUNTY OF RESIDENCE PRIOR TO THE CONVICTION OR COMMITMENT, AS APPROPRIATE, WITH SUPER-

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

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VISION WHICH SHALL INCLUDE THE USE OF ELECTRONIC MONITORING OR GLOBAL POSITIONING SATELLITE TRACKING FOR AN APPROPRIATE PERIOD OF TIME TO BE DETERMINED BY THE COURT. THE RESPONDENT SHALL BE PROVIDED SUITABLE CLOTHING ADAPTED TO THE SEASON IN WHICH HE OR SHE IS DISCHARGED AND SUCH CLOTHING SHALL NOT EXCEED SIXTY-FIVE DOLLARS IN VALUE. SUCH PLAN SHALL ALSO PROVIDE FOR TRANSPORTATION TO SUCH RESIDENCE AND INCLUDE REFERRAL TO ANY SERVICES WHICH THE COMMISSIONER DEEMS APPROPRIATE IN THE COMMUNITY OF RESIDENCE, INCLUDING MEDICATION, AFTERCARE SERVICES AND ASSISTANCE IN FINDING EMPLOYMENT FOLLOWING DISCHARGE AS PROVIDED IN SECTION 29.15 OF THIS CHAPTER.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.