

3262--C

Cal. No. 355

2011-2012 Regular Sessions

I N S E N A T E

February 15, 2011

Introduced by Sens. JOHNSON, KLEIN, McDONALD, YOUNG, ZELDIN -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Mental Health and Developmental Disabilities in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the mental hygiene law, in relation to directing the commissioner of mental health to promulgate regulations providing for the segregation of sex offender patients from other patients

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

1 Section 1. The mental hygiene law is amended by adding a new section
2 33.27 to read as follows:
3 S 33.27 REQUIREMENT TO CHECK SEX OFFENDER REGISTRY; CONTINUING CLINICAL
4 OUTPATIENT TREATMENT.
5 THE COMMISSIONER OF MENTAL HEALTH SHALL PROMULGATE REGULATIONS
6 PROSCRIBING, TO THE EXTENT PRACTICABLE, THE PROVISION OF CARE AND TREAT-
7 MENT OF SEX OFFENDERS, AS DEFINED BY SECTION ONE HUNDRED SIXTY-EIGHT-A
8 OF THE CORRECTION LAW, AND DETAINED SEX OFFENDERS, AS DEFINED BY SECTION
9 10.03 OF THIS CHAPTER, BY FACILITIES AND PROGRAMS LICENSED OR OPERATED
10 BY THE DEPARTMENT CONCURRENTLY AND IN THE SAME GROUP OF TWO OR MORE
11 INDIVIDUALS AS PATIENTS OR CLIENTS WHO ARE NOT SEX OFFENDERS OR DETAINED
12 SEX OFFENDERS. SUCH REGULATIONS SHALL ADDRESS ASPECTS INCLUDING, BUT NOT
13 LIMITED TO: THE TYPES OF FACILITIES AND PROGRAMS SUBJECT TO RELEVANT
14 PROVISIONS; PROTOCOLS FOR DETERMINING WHETHER A CLIENT OR PATIENT IS A
15 SEX OFFENDER, AND CIRCUMSTANCES UNDER WHICH SUCH PROTOCOLS SHALL AND

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

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1 SHALL NOT BE IMPLEMENTED; AND EFFORTS WHICH SUCH PROGRAMS AND FACILITIES
2 MUST UNDERTAKE TO AVOID SUCH PROSCRIBED TREATMENT AND CARE.
3 S 2. This act shall take effect on the thirtieth day after it shall
4 have become a law.