

STATE OF NEW YORK

8136--A

2021-2022 Regular Sessions

IN ASSEMBLY

June 11, 2021

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, the social services law, and the general business law, in relation to children's non-regulated camps

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The public health law is amended by adding a new section
2 1394-d to read as follows:

3 § 1394-d. Requirement to check sex offender registry. Every person,
4 firm, limited liability company, association and corporation which oper-
5 ates a children's non-regulated camp as defined in section three hundred
6 ninety-eight-f of the general business law shall be required to ascer-
7 tain whether an employee or volunteer is listed on the state sex offen-
8 der registry pursuant to article six-C of the correction law prior to
9 the day such employee or volunteer commences work at such camp and annu-
10 ally thereafter prior to their arrival at such camp.

11 § 2. Subdivision 1 of section 424-a of the social services law is
12 amended by adding a new paragraph (d-2) to read as follows:

13 (d-2) Every person, firm, limited liability company, association and
14 operation which operates a camp that falls under the provisions of arti-
15 cle thirteen-B of the public health law or a children's non-regulated
16 camp as defined in section three hundred ninety-eight-f of the general
17 business law, for every employee or volunteer, prior to the employment
18 start date, shall inquire of the office of children and family services,
19 and the office shall, upon receipt of such inquiry and subject to the
20 provisions of paragraph (b) or (e) of this subdivision inform such and
21 the subject of the inquiry whether any person who is actively being
22 considered for employment and who will have the potential for regular
23 and substantial contact with children is the subject of an indicated

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

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1 child abuse and maltreatment report on file with the statewide central
2 register of child abuse and maltreatment.

3 § 3. Paragraph (a) of subdivision 2 of section 398-f of the general
4 business law, as added by chapter 103 of the laws of 2019, is amended to
5 read as follows:

6 (a) No person, firm, corporation or association shall enroll or allow
7 participation of a child in a children's non-regulated camp unless the
8 parent or guardian of the child has been provided with the following
9 written notice on the application or enrollment form:

10 "This camp is not regulated or inspected by the New York State Depart-
11 ment of Health and is not required to obtain a Department of Health
12 permit. This camp is not required to follow Department of Health regu-
13 lations, including, [~~checking the state sex offender registry prior to~~
14 ~~hiring staff,~~] maintaining minimum staff-to-child ratios; hiring medical
15 personnel; or reporting injuries or illnesses to the Department of
16 Health."

17 § 4. This act shall take effect on the one hundred eightieth day after
18 it shall have become a law. Effective immediately, the addition, amend-
19 ment and/or repeal of any rule or regulation necessary for the implemen-
20 tation of this act on its effective date are authorized to be made and
21 completed on or before such effective date.