

3893

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. LENTOL -- read once and referred to the Committee
on Social Services

AN ACT to amend the social services law, in relation to special standards for shelters for adults

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

1 Section 1. Legislative intent. Because certain local governments in
2 New York state have not developed a comprehensive plan for dealing with
3 the homeless, they have started the practice of sheltering large numbers
4 of the homeless in large, single sites that often do not meet building
5 codes. This practice does not benefit either the homeless themselves,
6 because proper services do not reach them, or the community in which the
7 shelter is located, because its resources are strained past their
8 limits.
9 The problem of this practice of warehousing is compounded when instead
10 of distributing smaller shelters equally to all communities within a
11 locality, a few communities are forced to provide shelter for a
12 disproportionate number of the homeless. A great deal of stress is
13 placed on the affected community by the presence of people who are not a
14 natural part of the community's life. Furthermore, the community's ability
15 to deliver services, such as health care and rehabilitative
16 services, to large numbers of people is usually limited.
17 Cities in New York must develop a plan for the equitable distribution
18 of the homeless population among its communities. For instance, each of
19 New York city's fifty-nine community boards would be held responsible
20 for at least one facility in its geographic district which would provide
21 services and shelter for approximately one hundred homeless men or
22 women.
23 S 2. The social services law is amended by adding a new section 461-s
24 to read as follows:

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

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1 S 461-S. SPECIAL STANDARDS FOR SHELTERS FOR ADULTS. ANY SHELTER FOR
2 ADULTS, AS DEFINED IN SECTION TWO OF THIS CHAPTER, WHICH IS CERTIFIED TO
3 PROVIDE, PURSUANT TO THIS ARTICLE, TEMPORARY RESIDENTIAL SERVICES TO
4 ADULTS OR ANY FACILITY WHICH IS OPERATED BY A MUNICIPALITY OR
5 NOT-FOR-PROFIT CORPORATION FOR THE PURPOSE OF PROVIDING SHELTER AND
6 SERVICES TO HOMELESS SINGLE ADULTS SHALL, NO LATER THAN TWELVE MONTHS
7 FROM THE EFFECTIVE DATE OF THIS SECTION, LIMIT THE SIZE OF ALL NEW SHEL-
8 TER FACILITIES TO ONE HUNDRED CLIENTS PER FACILITY AND RESTRICT THE
9 GEOGRAPHIC PLACEMENT OF EVERY FACILITY TO NO NEARER THAN A DISTANCE OF A
10 THREE MILE RADIUS FROM ANY OTHER FACILITY. ANY SHELTER FOR ADULTS WHICH
11 IS CERTIFIED TO PROVIDE SUCH CARE AFTER THE EFFECTIVE DATE OF THIS
12 SECTION SHALL HAVE TWELVE MONTHS FROM THE RECEIPT OF SUCH OPERATING
13 CERTIFICATE TO PHASE DOWN THE NUMBER OF CLIENTS HOUSED TO ONE HUNDRED
14 AND TO RELOCATE ANY FACILITY THAT IS NEARER THAN A THREE MILE RADIUS
15 FROM ANY OTHER SUCH FACILITY. NO SHELTER FOR ADULTS SHALL BE CERTIFIED
16 TO OPERATE BEYOND DECEMBER THIRTY-FIRST, TWO THOUSAND TEN, UNLESS SUCH
17 SHELTER MEETS THE REQUIREMENTS OF THIS SECTION.

18 S 3. The New York state department of family assistance shall make a
19 report to the legislature and the governor on or before November 10,
20 2009. It shall contain such information concerning how locations to
21 shelter the homeless are selected by localities and such recommendations
22 as the commissioner of the office of children and family services shall
23 deem necessary or proper.

24 S 4. This act shall take effect immediately.