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

5005

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. V. LOPEZ -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to the removal of children by social services officials

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

Section 1. Subdivision 2 of section 400 of the social services law, as amended by chapter 473 of the laws of 1978, is amended to read as follows:

2. Any person aggrieved by such decision of a social services official, EXCEPT A DECISION TO DISCHARGE A CHILD FROM CARE, may appeal to the [department] OFFICE OF CHILDREN AND FAMILY SERVICES pursuant to the provisions of section twenty-two of this chapter. WHERE A FOSTER PARENT FILES A TIMELY NOTICE REQUESTING SUCH AN APPEAL, THE CHILD SHALL NOT BE MOVED UNTIL AFTER SUCH APPEAL IS HEARD, EXCEPT WHERE SUCH A MOVE IS NECESSARY TO PROTECT THE HEALTH OR SAFETY OF THE CHILD.

S 2. This act shall take effect on the thirtieth day after 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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