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

5043

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. BRODSKY, PHEFFER -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to the development of disaster preparedness plans by certain entities and their coordination of them with local authorities

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

Section 1. Section 23 of the executive law is amended by adding a new subdivision 8 to read as follows:

8. A. THE FOLLOWING ENTITIES, WHICH LIST IS ILLUSTRATIVE AND NOT EXHAUSTIVE, SHALL COOPERATE WITH THE COUNTY, CITY, TOWN, OR VILLAGE IN WHICH THEY ARE LOCATED, IF SUCH COUNTY, CITY, TOWN, OR VILLAGE PREPARES A LOCAL DISASTER PREPAREDNESS PLAN, IN THE DEVELOPMENT OF A PART OF SUCH PLAN THAT WILL ADDRESS THE NEEDS OF SUCH ENTITY, WITH SUCH PARTS BEING AGREED TO IN WRITING BY SUCH COUNTY, CITY, TOWN, OR VILLAGE AND SUCH ENTITY, TO MEMORIALIZE SUCH ENTITY'S COORDINATION OF ITS DISASTER-RELATED ACTIVITIES WITH SUCH COUNTY, CITY, TOWN, OR VILLAGE:

(1) HOSPITALS;

(2) NURSING HOMES;

(3) SCHOOLS;

(4) SENIOR LIVING FACILITIES;

(5) ASSISTED LIVING FACILITIES;

(6) HOMELESS SHELTERS; AND

(7) ANY GROUP HOME OR RESIDENTIAL FACILITY OPERATING PURSUANT TO THE AUTHORIZATION OF A STATE OR MUNICIPAL AGENCY AND HOUSING THREE OR MORE PERSONS, BUT THIS PARAGRAPH SHALL NOT BE DEEMED TO INCLUDE HOTELS, MOTELS, OR SIMILAR ESTABLISHMENTS.

B. THE STATE EMERGENCY MANAGEMENT OFFICE, AS DEFINED IN PARAGRAPH (E) OF SUBDIVISION ONE OF SECTION TWENTY-NINE-E OF THIS ARTICLE, SHALL PROMULGATE REGULATIONS MORE PARTICULARLY SPECIFYING THE ENTITIES SO REQUIRED AND MINIMUM STANDARDS FOR SUCH PARTS OF SUCH PLANS.

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

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C. THE PROVISIONS OF THIS SUBDIVISION SHALL NOT BE CONSTRUED TO REDUCE THE OBLIGATIONS OF ANY MUNICIPALITY TO PROVIDE DISASTER PREVENTION OR RESPONSE SERVICES.

S 2. This act shall take effect on the one hundred eightieth day next succeeding the date on which it shall have become a law. Effective immediately the state emergency management office, as defined in paragraph (e) of subdivision 1 of section 29-e of the executive law, is authorized to promulgate any and all rules and regulations and take any other measures necessary for the timely implementation of this act on its effective date on or before such date.