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

S. 2234 A. 5404

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

February 13, 2009

IN SENATE -- Introduced by Sen. O. JOHNSON -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- Introduced by M. of A. RAMOS -- Multi-Sponsored by -- M. of A. BENEDETTO, COOK, DIAZ, FIELDS, GREENE, HOOPER, LAVINE, McENENY, PHEFFER, WEISENBERG -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to directing the department of state to establish a statewide registry of mental hygiene and child supervision residential facilities

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

Section 1. The executive law is amended by adding a new section 101 to read as follows:

S 101. STATEWIDE REGISTRY OF MENTAL HYGIENE AND CHILD SUPERVISION RESIDENTIAL FACILITIES. 1. THE DEPARTMENT OF STATE SHALL ESTABLISH AND MAINTAIN A STATEWIDE REGISTRY OF MENTAL HYGIENE AND CHILD SUPERVISION RESIDENTIAL FACILITIES. SUCH REGISTRY SHALL BE COMPOSED OF THE NAME AND ADDRESS OF EVERY RESIDENTIAL HOUSING FACILITY:

A. SUBJECT TO SUPERVISION OF THE OFFICE OF CHILDREN AND FAMILY SERVICES PURSUANT TO ARTICLE NINETEEN-G OF THIS CHAPTER;

B. SUBJECT TO REGULATION OF THE OFFICE OF MENTAL HEALTH PURSUANT TO THE MENTAL HYGIENE LAW;

C. SUBJECT TO THE REGULATION OF THE OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES; AND

D. SUBJECT TO THE REGULATION OF THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES.

2. COMMENCING ON THE FIRST OF JANUARY, TWO THOUSAND TEN AND ON THE FIRST OF EVERY OTHER MONTH THEREAFTER, THE OFFICES OF CHILDREN AND FAMILY SERVICES, MENTAL HEALTH, MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES, AND ALCOHOLISM AND SUBSTANCE ABUSE SERVICES SHALL SUBMIT TO

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

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THE DEPARTMENT OF STATE A LIST OF THE NAME AND ADDRESS OF EVERY RESIDENTIAL HOUSING FACILITY SUBJECT TO THE JURISDICTION OF SUCH OFFICE, WHICH IS REQUIRED TO BE INCLUDED IN THE STATEWIDE REGISTRY OF MENTAL HYGIENE AND CHILD SUPERVISION RESIDENTIAL FACILITIES PURSUANT TO SUBDIVISION ONE OF THIS SECTION.

3. THE STATEWIDE REGISTRY OF MENTAL HYGIENE AND CHILD SUPERVISION RESIDENTIAL FACILITIES SHALL BE REGULARLY UPDATED AND MAINTAINED IN AN ACCURATE MANNER BY THE DEPARTMENT OF STATE. SUCH DEPARTMENT SHALL MAKE THE REGISTRY AVAILABLE TO THE GENERAL PUBLIC IN PRINT, ELECTRONIC FORM AND ON A WEBSITE MAINTAINED BY THE DEPARTMENT.

4. THE DEPARTMENT OF STATE SHALL TRANSMIT A COPY OF THE STATEWIDE REGISTRY OF MENTAL HYGIENE AND CHILD SUPERVISION RESIDENTIAL FACILITIES TO THE LEGISLATURE NOT LESS THAN TWICE EACH YEAR.

S 2. This act shall take effect January 1, 2010, provided that any actions necessary to implement the provisions of this act on its effective date are authorized and directed to be completed on or before such date.