

4610

2009-2010 Regular Sessions

I N   S E N A T E

April 24, 2009

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Introduced by Sens. ONORATO, DILAN, HASSELL-THOMPSON, C. JOHNSON, KLEIN, PARKER, SAMPSON, STACHOWSKI, THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to requiring sponsoring agencies intending to establish residential facilities for the disabled to notify the chief executive officer of the municipality in certain cases

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

1     Section 1.     Subdivision (b) of section 41.34 of the mental hygiene  
2 law, as amended by chapter 1024 of the laws of 1981, is amended to read  
3 as follows:  
4     (b) If a sponsoring agency intends to establish a residential facility  
5 for the disabled within a municipality but does not have a specific site  
6 selected, it [may] SHALL notify the chief executive officer of the municipality in writing of its intentions and include in such notice a  
7 description of the nature, size and community support requirements of  
8 the program. THE CHIEF EXECUTIVE OFFICER OF SUCH MUNICIPALITY AND, IN  
9 CITIES HAVING A POPULATION OF ONE MILLION OR MORE, IN CONSULTATION WITH  
10 THE CHAIRPERSONS OF THE COMMUNITY BOARDS FOR THE AREAS WHERE THE POTENTIAL SITES ARE LOCATED, SHALL REVIEW SUCH NOTICE AND OFFER POTENTIAL  
11 SITES WHICH, TO THE EXTENT POSSIBLE, COMPLY WITH THE DESCRIPTION OF THE  
12 NATURE, SIZE AND COMMUNITY SUPPORT REQUIREMENTS OF THE PROGRAM AS  
13 DETAILED BY THE SPONSORING AGENCY. Provided, however, nothing in this  
14 subdivision shall preclude the proposed establishment of a site pursuant  
15 to subdivision (c) of this section.  
16  
17     S 2. This act shall take effect on the sixtieth day after it shall  
18 have become a law.  
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EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [ ] is old law to be omitted.

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