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

11250

I N A S S E M B L Y

May 25, 2010

Introduced by M. of A. GORDON -- read once and referred to the Committee on Mental Health

AN ACT to amend the mental hygiene law, in relation to requiring surveillance cameras in all state and volunteer agency vehicles used to transport developmentally disabled individuals and in group homes

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

Section 1. The mental hygiene law is amended by adding a new section 16.25 to read as follows:

S 16.25 SURVEILLANCE CAMERAS.

(A) (I) ALL STATE AND VOLUNTARY AGENCY VEHICLES USED BY PROVIDERS WHO ARE CERTIFIED, LICENSED, FUNDED OR OPERATED BY THE OFFICE THAT ARE USED TO TRANSPORT CHILDREN OR ADULTS WITH MENTAL OR PHYSICAL DISABILITIES SHALL BE EQUIPPED WITH SURVEILLANCE CAMERAS WITH SOUND CAPABILITY.

(II) ALL VEHICLES USED AT A FACILITY PROVIDING RESIDENTIAL CARE TO YOUTH AS SUCH TERM IS DEFINED IN PARAGRAPH (A) OR (B) OF SUBDIVISION FOUR OF SECTION FOUR HUNDRED TWELVE-A OF THE SOCIAL SERVICES LAW TO TRANSPORT SUCH YOUTH SHALL BE EQUIPPED WITH SURVEILLANCE CAMERAS WITH SOUND CAPABILITY.

(B) (I) SURVEILLANCE CAMERAS WITH SOUND CAPABILITY SHALL BE INSTALLED IN ALL PUBLIC COMMON AREAS INCLUDING, BUT NOT LIMITED TO, ALL COMMON LIVING AREAS, DINING AREAS, HALLWAYS, CLASSROOMS AND TIME-OUT ROOMS IN ALL GROUP HOMES, RESIDENTIAL AND DAY SCHOOLS AND PROGRAMS LICENSED, CERTIFIED, FUNDED OR OPERATED BY THE OFFICE WHICH PROVIDE SERVICES FOR CHILDREN OR ADULTS WITH MENTAL OR PHYSICAL DISABILITIES.

(II) ALL PUBLIC COMMON AREAS INCLUDING, BUT NOT LIMITED TO, ALL COMMON LIVING AREAS, DINING AREAS, HALLWAYS, CLASSROOMS AND TIME-OUT ROOMS OF A FACILITY PROVIDING RESIDENTIAL CARE TO YOUTH AS SUCH TERM IS DEFINED IN PARAGRAPH (A) OR (B) OF SUBDIVISION FOUR OF SECTION FOUR HUNDRED TWELVE-A OF THE SOCIAL SERVICES LAW SHALL BE EQUIPPED WITH SURVEILLANCE CAMERAS WITH SOUND CAPABILITY.

(C) ANY SCHOOL OR PRIVATE TRANSPORT COMPANY VEHICLES USED TO TRANSPORT CHILDREN OR ADULTS WITH MENTAL DISABILITIES SHALL BE EQUIPPED WITH SURVEILLANCE CAMERAS WITH SOUND CAPABILITIES.

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

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(D) IN ALL RESIDENTIAL FACILITIES STATEWIDE, FOR CHILDREN WITH MENTAL DISABILITIES CERTIFIED, LICENSED, FUNDED OR OPERATED BY THE OFFICE, SURVEILLANCE CAMERAS MAY BE PLACED IN A CHILD'S, AGE THIRTEEN OR YOUNGER, ROOM AT THE REQUEST OF AND WITH THE CONSENT OF THE CHILD'S PARENT OR GUARDIAN AND ONLY IF THE CHILD IS IN A SINGLE OCCUPANCY BEDROOM.

S 2. This act shall take effect on the first of April next succeeding the date on which it shall become a law.