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

2740

2009-2010 Regular Sessions

I N A S S E M B L Y

January 21, 2009

Introduced by M. of A. FITZPATRICK -- read once and referred to the Committee on Mental Health, Mental Retardation and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to requiring a sponsoring agency to make a presentation to a municipality prior to consideration of placement of a residential facility for the disabled

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

Section 1. Paragraph 2 of subdivision (c) of section 41.34 of the mental hygiene law, as amended by chapter 1024 of the laws of 1981, is amended to read as follows:

(2) Prior to forwarding a response to the sponsoring agency and the commissioner, the municipality may hold a public hearing pursuant to local law. SHOULD THE MUNICIPALITY DECIDE TO HOLD A PUBLIC HEARING, THE SPONSORING AGENCY SHALL MAKE A PRESENTATION, USING APPROPRIATE AUDIO-VISUAL TECHNOLOGY, AT WHICH THE SPONSORING AGENCY SHALL PRESENT THE HISTORY AND BACKGROUND OF THE SPONSORING AGENCY, THE NUMBER OF EMPLOYEES WHO WILL BE WORKING AT THE RESIDENTIAL FACILITY, THE NUMBER OF RESIDENTS WHO WILL BE LIVING IN THE RESIDENTIAL FACILITY, AND AN OUTLINE OF ANY STRUCTURAL CHANGES WHICH WILL BE MADE TO EXISTING BUILDINGS ON THE PREMISES WHERE IT IS PROPOSED THAT THIS FACILITY BE LOCATED.

S 2. This act shall take effect immediately.

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

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