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

S. 1185 A. 3478

2009-2010 Regular Sessions

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

January 27, 2009

IN SENATE -- Introduced by Sen. HUNTLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

IN ASSEMBLY -- Introduced by M. of A. GREENE, CASTRO -- Multi-Sponsored by -- M. of A. SCHROEDER, SWEENEY -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to creating community advisory councils for special needs housing

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

Section 1. The general municipal law is amended by adding a new article 12-I to read as follows:

ARTICLE 12-I

SPECIAL NEEDS HOUSING COMMUNITY ADVISORY COUNCILS

SECTION 239-GG. SPECIAL NEEDS HOUSING COMMUNITY ADVISORY COUNCILS.

S 239-GG. SPECIAL NEEDS HOUSING COMMUNITY ADVISORY COUNCILS. 1. FOR PURPOSES OF THIS ARTICLE, THE FOLLOWING TERMS ARE DEFINED AS FOLLOWS:

(A) "SPECIAL NEEDS HOUSING COMMUNITY ADVISORY COUNCIL" OR "COMMUNITY ADVISORY COUNCIL" MEANS A GROUP OF NOT LESS THAN FIVE AND NOT MORE THAN TWENTY PERSONS, ESTABLISHED BY A COVERED FACILITY TO DISCUSS ISSUES AFFECTING THE FACILITY AND ADVISE THE COVERED FACILITY ON HOW BEST TO FACILITATE PRODUCTIVE COMMUNICATION AND COLLABORATION BETWEEN THE COVERED FACILITY AND ITS RESIDENTS AND THE LOCAL COMMUNITY.

(B) "COVERED AUTHORITY" MEANS THE LOCAL MUNICIPAL HOUSING AUTHORITY WHERE APPLICABLE, OR THE LOCAL MUNICIPAL CORPORATION.

(C) "COVERED FACILITY" MEANS (I) A RESIDENCE OPERATED BY OR ON BEHALF OF THE LOCAL HOMELESS ACTION SERVICES; OR (II) AN EMERGENCY RESIDENCE OPERATED BY OR ON BEHALF OF THE LOCAL SOCIAL SERVICES AGENCY OR HUMAN RESOURCES ADMINISTRATION, WHICH IS AVAILABLE PRIMARILY FOR HOMELESS PERSONS WITH HIV OR AIDS-RELATED ILLNESSES.

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

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2. EACH COVERED AUTHORITY SHALL REQUIRE ALL COVERED FACILITIES TO ESTABLISH AND MAINTAIN A SPECIAL NEEDS HOUSING COMMUNITY ADVISORY COUNCIL.

3. IN ESTABLISHING A COMMUNITY ADVISORY COUNCIL, A COVERED FACILITY WILL INVITE LOCAL NOT-FOR-PROFIT SOCIAL SERVICE PROVIDERS, MEMBERS OF THE BUSINESS COMMUNITY, REPRESENTATIVES OF FAITH-BASED COMMUNITY ORGANIZATIONS, ELECTED OFFICIALS, MEMBERS OF MUNICIPAL CORPORATION'S SUPERVISORY BOARDS, REPRESENTATIVES OF THE MUNICIPAL HOUSING AUTHORITY, COVERED FACILITY RESIDENTS AND OTHER CONCERNED MEMBERS OF THE COMMUNITY TO PARTICIPATE.

4. AT A MINIMUM, COMMUNITY ADVISORY COUNCILS ESTABLISHED PURSUANT TO THIS ARTICLE WILL MEET ON A QUARTERLY BASIS.

5. WITHIN FORTY-FIVE DAYS OF THE EFFECTIVE DATE OF THIS ARTICLE, EVERY COVERED FACILITY IN OPERATION SHALL SUBMIT A CERTIFICATION TO THE APPROPRIATE COVERED AUTHORITY INDICATING THAT IT WILL ESTABLISH AND MAINTAIN A COMMUNITY ADVISORY COUNCIL AS REQUIRED BY THIS ARTICLE. WITHIN FORTY-FIVE DAYS OF COMMENCING ITS ACTIVITIES ANY COVERED FACILITY THAT COMMENCES OPERATION AFTER THE EFFECTIVE DATE OF THIS ARTICLE SHALL SUBMIT A CERTIFICATION TO THE APPROPRIATE COVERED AGENCY INDICATING THAT IT WILL ESTABLISH AND MAINTAIN A COMMUNITY ADVISORY COUNCIL AS REQUIRED BY THIS ARTICLE.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.