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

3893

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. LENTOL -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to special standards for shelters for adults

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

Section 1. Legislative intent. Because certain local governments in New York state have not developed a comprehensive plan for dealing with the homeless, they have started the practice of sheltering large numbers of the homeless in large, single sites that often do not meet building codes. This practice does not benefit either the homeless themselves, because proper services do not reach them, or the community in which the shelter is located, because its resources are strained past their limits.

The problem of this practice of warehousing is compounded when instead of distributing smaller shelters equally to all communities within a locality, a few communities are forced to provide shelter for a disproportionate number of the homeless. A great deal of stress is placed on the affected community by the presence of people who are not a natural part of the community's life. Furthermore, the community's ability to deliver services, such as health care and rehabilitative services, to large numbers of people is usually limited.

Cities in New York must develop a plan for the equitable distribution of the homeless population among its communities. For instance, each of New York city's fifty-nine community boards would be held responsible for at least one facility in its geographic district which would provide services and shelter for approximately one hundred homeless men or women.

S 2. The social services law is amended by adding a new section 461-s to read as follows:

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

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S 461-S. SPECIAL STANDARDS FOR SHELTERS FOR ADULTS. ANY SHELTER FOR ADULTS, AS DEFINED IN SECTION TWO OF THIS CHAPTER, WHICH IS CERTIFIED TO PROVIDE, PURSUANT TO THIS ARTICLE, TEMPORARY RESIDENTIAL SERVICES TO ADULTS OR ANY FACILITY WHICH IS OPERATED BY A MUNICIPALITY OR NOT-FOR-PROFIT CORPORATION FOR THE PURPOSE OF PROVIDING SHELTER AND SERVICES TO HOMELESS SINGLE ADULTS SHALL, NO LATER THAN TWELVE MONTHS FROM THE EFFECTIVE DATE OF THIS SECTION, LIMIT THE SIZE OF ALL NEW SHELTER FACILITIES TO ONE HUNDRED CLIENTS PER FACILITY AND RESTRICT THE GEOGRAPHIC PLACEMENT OF EVERY FACILITY TO NO NEARER THAN A DISTANCE OF A THREE MILE RADIUS FROM ANY OTHER FACILITY. ANY SHELTER FOR ADULTS WHICH IS CERTIFIED TO PROVIDE SUCH CARE AFTER THE EFFECTIVE DATE OF THIS SECTION SHALL HAVE TWELVE MONTHS FROM THE RECEIPT OF SUCH OPERATING CERTIFICATE TO PHASE DOWN THE NUMBER OF CLIENTS HOUSED TO ONE HUNDRED AND TO RELOCATE ANY FACILITY THAT IS NEARER THAN A THREE MILE RADIUS FROM ANY OTHER SUCH FACILITY. NO SHELTER FOR ADULTS SHALL BE CERTIFIED TO OPERATE BEYOND DECEMBER THIRTY-FIRST, TWO THOUSAND TEN, UNLESS SUCH SHELTER MEETS THE REQUIREMENTS OF THIS SECTION.

S 3. The New York state department of family assistance shall make a report to the legislature and the governor on or before November 10, 2009. It shall contain such information concerning how locations to shelter the homeless are selected by localities and such recommendations as the commissioner of the office of children and family services shall deem necessary or proper.

S 4. This act shall take effect immediately.