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

4643

2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

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

AN ACT to amend the social services law, in relation to transitional housing units

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

Section 1. The social services law is amended by adding a new section 53 to read as follows:

S 53. PLACEMENT OF TRANSITIONAL HOUSING. 1. DEFINITIONS. (A) THE TERM "TRANSITIONAL HOUSING UNITS" SHALL MEAN GOVERNMENTALLY SUBSIDIZED HOUSING ACCOMMODATIONS TO BE OCCUPIED ON A TEMPORARY BASIS BY PERSONS OR FAMILIES OF LOW INCOME AWAITING PLACEMENT IN PERMANENT HOUSING. TRANSITIONAL HOUSING UNITS SHALL INCLUDE BUT NOT BE LIMITED TO SHELTERS AND SINGLE ROOM OCCUPANCY ACCOMMODATIONS AND MAY INCLUDE HOUSING WHICH PROVIDES SUPPORTIVE SERVICES.

(B) THE TERM "DEFINED AREA" SHALL MEAN A CITY, TOWN, VILLAGE, WARD, CITY COUNCIL DISTRICT OR OTHER POLITICAL SUBDIVISION. WHERE ONE OR MORE POLITICAL SUBDIVISIONS ARE CONTAINED IN ANOTHER SUBDIVISION, THE SUBDIVISION WITH THE SMALLER POPULATION SHALL BE DEEMED THE DEFINED AREA. IN A CITY WITH A POPULATION OF MORE THAN ONE MILLION, THE DEFINED AREA SHALL MEAN A COMMUNITY BOARD DISTRICT.

(C) THE TERM "GOVERNING BOARD" SHALL HAVE THE SAME MEANING AS PROVIDED IN SECTION TWO OF THE GENERAL MUNICIPAL LAW.

2. IF A DEFINED AREA CONTAINS MORE THAN ONE HUNDRED TRANSITIONAL HOUSING UNITS IN ANY ONE BUILDING OR GROUP OF BUILDINGS OR MORE THAN A TOTAL OF THREE HUNDRED TRANSITIONAL HOUSING UNITS, NO ADDITIONAL TRANSITIONAL HOUSING UNITS SHALL BE PERMITTED TO BE CONSTRUCTED OR TO OPERATE IN SAID AREA WITHOUT THE APPROVAL OF THE GOVERNING BOARD OF THE MUNICIPALITY WHERE THE DEFINED AREA IS LOCATED. IN A CITY WITH A POPULATION OF OVER ONE MILLION, APPROVAL MUST BE GRANTED BY THE CITY COUNCIL.

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

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3. NO LESS THAN SIXTY DAYS PRIOR TO SUBMITTING A PROPOSAL FOR APPROVAL PURSUANT TO THIS SECTION, NOTICE OF SUCH PROPOSAL SHALL BE SERVED ON THE BODY RESPONSIBLE FOR MAKING RECOMMENDATIONS WITH RESPECT TO PLANNING IN THE DEFINED AREA WHERE THE PROPOSED UNITS WILL BE LOCATED. IN A CITY WITH A POPULATION OF OVER ONE MILLION SUCH NOTICE SHALL BE SERVED ON THE AFFECTED COMMUNITY BOARD. IF NO SUCH BODY EXISTS FOR THE DEFINED AREA, THE MAYOR, TOWN SUPERVISOR OR EXECUTIVE MUNICIPAL OFFICIAL OF THE DEFINED AREA SHALL DESIGNATE AN APPROPRIATE BODY TO COMPLY WITH THE PROVISIONS OF THIS SECTION. WITHIN THIRTY DAYS OF RECEIPT OF SAID NOTICE SUCH BODY SHALL CONDUCT A HEARING ON THE PROPOSAL AND SHALL SUBMIT THE PROPOSAL FOR A VOTE OF THE BOARD. A TRANSCRIPT OR REPORT OF SUCH HEARING AND THE RESULTS OF THE VOTE SHALL BE FORWARDED TO THE GOVERNING BOARD PRIOR TO CONDUCTING A VOTE ON THE PROPOSAL. IF A PROPOSAL IS NOT APPROVED, NO SIMILAR PROPOSAL SHALL BE SUBMITTED WITHIN ONE YEAR OF SUCH VOTE.

S 2. This act shall take effect immediately.