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

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I N A S S E M B L Y

March 20, 2012

Introduced by M. of A. WEISENBERG, GUNTHER, MONTESANO, P. RIVERA, SCHIMEL -- Multi-Sponsored by -- M. of A. BOYLAND, GOTTFRIED, McDONOUGH, ROBINSON -- read once and referred to the Committee on Mental Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to duties of providers of services for the developmentally disabled

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) 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.

(B) 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.

(C) ANY PROVIDER THAT FAILS TO IMPLEMENT THE PROVISIONS OF THIS SECTION SHALL BE SUBJECTED TO A FINE OF ONE THOUSAND DOLLARS PER DAY OF NONCOMPLIANCES.

S 2. This act shall take effect one year after it shall have become a law.

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

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