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I N S E N A T E

(PREFILED)

January 8, 2014

Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to input from municipalities relating to the establishment or incorporation of facilities providing chemical dependence services

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

1 Section 1. Paragraph 1 of subdivision (b) of section 32.31 of the
2 mental hygiene law, as amended by chapter 529 of the laws of 2004, is
3 amended to read as follows:
4 1. An application for approval of the proposed certificate of incorpo-
5 ration or articles of organization shall be filed with the commissioner
6 together with such other forms and information as shall be prescribed
7 by, or acceptable to, him or her. Thereafter, the commissioner shall
8 forward a copy of the proposed certificate or articles [or] OF organiza-
9 tion and application for establishment and accompanying documents, to
10 the local governmental unit of the area in which such facility is to be
11 located. The commissioner shall not act upon such application until the
12 local governmental unit has had a reasonable time to submit their recom-
13 mendations. THE LOCAL GOVERNMENTAL UNIT SHALL SOLICIT AND INCLUDE IN
14 ITS RECOMMENDATIONS INPUT RECEIVED FROM AN INCORPORATED VILLAGE IF SUCH
15 FACILITY IS TO BE LOCATED THEREIN, A TOWN IF SUCH FACILITY IS TO BE
16 LOCATED THEREIN AND NOT SIMULTANEOUSLY WITHIN AN INCORPORATED VILLAGE OR
17 A CITY IF SUCH FACILITY IS TO BE LOCATED THEREIN EXCEPT THAT IN THE CITY
18 OF NEW YORK, SUCH INPUT SHALL BE PROVIDED BY THE COMMUNITY BOARD WITH
19 JURISDICTION OVER THE AREA WHERE SUCH FACILITY IS TO BE LOCATED.
20 S 2. This act shall take effect on the ninetieth day after it shall
21 have become a law.

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

LBD13004-01-3