

1131--A

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. RODRIGUEZ, HOOPER, CRESPO, FARRELL -- Multi-Sponsored by -- M. of A. BRENNAN -- read once and referred to the Committee on Housing -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public housing law, in relation to enacting the "public housing safety and security act of 2014"

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

1 Section 1. The public housing law is amended by adding a new article  
2 12-A to read as follows:

3 ARTICLE 12-A

4 PUBLIC HOUSING SAFETY AND SECURITY

5 SECTION 310. SHORT TITLE.

6 311. LEGISLATIVE FINDINGS.

7 312. AUTHORITY TO ISSUE GRANTS.

8 313. ELIGIBLE ACTIVITIES.

9 314. APPLICATIONS.

10 315. PERIODIC SAFETY INSPECTIONS.

11 316. ANNUAL REPORT.

12 S 310. SHORT TITLE. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS  
13 THE "PUBLIC HOUSING SAFETY AND SECURITY ACT OF 2014".

14 S 311. LEGISLATIVE FINDINGS. 1. (A) THE STATE HAS A DUTY TO PROVIDE  
15 PUBLIC HOUSING THAT IS DECENT, SAFE, SECURE AND FREE FROM CRIME;

16 (B) THOSE WHO LIVE IN PUBLIC HOUSING PROJECTS IN MANY AREAS OF THIS  
17 STATE SUFFER FROM RAMPANT CRIME, INCLUDING BREAK-INS, LARCENY, ROBBERY,  
18 BURGLARY AND RAPE;

19 (C) GANG ACTIVITY IS INCREASINGLY IMPOSING A REIGN OF TERROR ON PUBLIC  
20 HOUSING TENANTS; THE INCREASE IN DRUG-RELATED CRIME NOT ONLY LEADS TO  
21 MURDERS, MUGGINGS, AND OTHER FORMS OF VIOLENCE AGAINST TENANTS, BUT ALSO

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

LBD02963-02-3

1 TO A DETERIORATION OF THE PHYSICAL ENVIRONMENT THAT REQUIRES SUBSTANTIAL  
2 GOVERNMENT EXPENDITURES; AND

3 (D) LOCAL LAW ENFORCEMENT AUTHORITIES OFTEN LACK THE RESOURCES TO DEAL  
4 WITH THE CONSTANT SURVEILLANCE AND PATROLLING IN PUBLIC HOUSING PARTIC-  
5 ULARLY IN LIGHT OF THE RECENT REDUCTIONS IN FEDERAL AID TO CITIES.

6 2. RECENT EVENTS AT CERTAIN HOUSING PROJECTS DEMONSTRATE THAT THESE  
7 ISSUES ARE SERIOUS, PRESSING AND IN NEED OF IMMEDIATE ATTENTION.

8 S 312. AUTHORITY TO ISSUE GRANTS. THE DIVISION, IN ACCORDANCE WITH THE  
9 PROVISIONS OF THIS ARTICLE, MAY ISSUE GRANTS TO PUBLIC HOUSING AUTHORI-  
10 TIES OR AGENCIES FOR USE IN IMPROVING SECURITY IN PUBLIC HOUSING  
11 PROJECTS.

12 S 313. ELIGIBLE ACTIVITIES. A PUBLIC HOUSING AUTHORITY OR AGENCY MAY  
13 USE A GRANT UNDER THIS ARTICLE FOR:

14 1. THE EMPLOYMENT OF SECURITY PERSONNEL IN PUBLIC HOUSING PROJECTS;

15 2. REIMBURSEMENT OF LOCAL LAW ENFORCEMENT AGENCIES FOR ADDITIONAL  
16 SECURITY AND PROTECTIVE SERVICES FOR PUBLIC HOUSING PROJECTS;

17 3. PHYSICAL IMPROVEMENTS IN PUBLIC HOUSING PROJECTS WHICH ARE SPECIF-  
18 ICALLY DESIGNED TO ENHANCE SECURITY;

19 4. TRAINING, COMMUNICATIONS EQUIPMENT, AND OTHER RELATED EQUIPMENT FOR  
20 USE BY VOLUNTARY PUBLIC HOUSING TENANT PATROLS ACTING IN COOPERATION  
21 WITH LOCAL LAW ENFORCEMENT OFFICIALS;

22 5. PROVIDING FUNDING TO NONPROFIT PUBLIC HOUSING RESIDENT MANAGEMENT  
23 CORPORATIONS AND TENANT COUNCILS TO DEVELOP SECURITY PROGRAMS INVOLVING  
24 SITE RESIDENTS; AND

25 6. PURCHASE AND INSTALLATION OF CAMERAS THROUGHOUT PUBLIC AREAS OF  
26 PUBLIC HOUSING BUILDINGS.

27 S 314. APPLICATIONS. 1. TO RECEIVE A GRANT UNDER THIS ARTICLE, A  
28 PUBLIC HOUSING AUTHORITY OR AGENCY SHALL SUBMIT AN APPLICATION TO THE  
29 COMMISSIONER AT SUCH TIME, IN SUCH MANNER, AND ACCOMPANIED BY SUCH ADDI-  
30 TIONAL INFORMATION AS THE COMMISSIONER MAY REASONABLY REQUIRE. SUCH  
31 APPLICATION SHALL INCLUDE, BUT NOT BE LIMITED TO, A PLAN FOR ADDRESSING  
32 SECURITY CONCERNS/ISSUES AT THE REQUESTING PUBLIC AUTHORITY OR AGENCY.

33 2. THE COMMISSIONER SHALL APPROVE APPLICATIONS UNDER THIS ARTICLE  
34 BASED UPON:

35 (A) THE EXTENT OF THE CRIME PROBLEM IN THE FACILITIES OF THE PUBLIC  
36 HOUSING PROJECT;

37 (B) THE QUALITY OF THE PLAN OF THE PUBLIC HOUSING AUTHORITY OR AGENCY  
38 TO ADDRESS SECURITY CONCERNS IN THE PUBLIC HOUSING PROJECT OR PROJECTS;

39 (C) THE CAPABILITY OF THE PUBLIC HOUSING AUTHORITY OR AGENCY TO CARRY  
40 OUT THE PLAN; AND

41 (D) THE EXTENT TO WHICH THE LOCAL GOVERNMENT AND LOCAL COMMUNITY  
42 SUPPORT THE ANTI-CRIME ACTIVITIES OF THE PUBLIC HOUSING AUTHORITY OR  
43 AGENCY.

44 S 315. PERIODIC SAFETY INSPECTIONS. PERIODIC SAFETY INSPECTIONS BY  
45 DIVISION AGENTS OR EMPLOYEES OF PUBLIC HOUSING UNITS ARE REQUIRED. SUCH  
46 INSPECTIONS SHALL OCCUR TWICE PER YEAR AND ENSURE THAT PUBLIC HOUSING  
47 UNITS COMPORT WITH (1) LEAD PAINT REGULATIONS; (2) HAVE SUFFICIENT AND  
48 OPERATIONAL LOCKING DOORS; (3) ENTRANCES AND DOORWAYS INTO AND OUT OF  
49 BUILDINGS ARE SECURE AND STRUCTURALLY SOUND; (4) WINDOWS IN PUBLIC AREAS  
50 HAVE ADEQUATE LOCKING DEVICES THAT WORK; AND (5) SUCH OTHER AND FURTHER  
51 INSPECTION AS IS DEEMED NECESSARY BY THE DIVISION. THE AGENCY SHALL  
52 DEVELOP REGULATIONS SUFFICIENT TO EFFECT INSPECTIONS PURSUANT TO THIS  
53 SECTION.

54 S 316. ANNUAL REPORT. THE DIVISION SHALL SUBMIT AN ANNUAL REPORT TO  
55 THE GOVERNOR, TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEM-  
56 BLY, MINORITY LEADER OF THE SENATE AND THE MINORITY LEADER OF THE ASSEM-

1 BLY, INCLUDING, BUT NOT LIMITED TO, OUTLINING THE STATE OF SAFETY AND  
2 SECURITY AT PUBLIC HOUSING UNITS THROUGHOUT THE STATE; SPECIFIC BUILD-  
3 INGS THAT HAVE FAILED DIVISION INSPECTION; VIOLATIONS; AND NUMBER OF  
4 CRIMES THAT HAVE OCCURRED AT EACH PROJECT.

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