STATE OF NEW YORK

4802--A

2017-2018 Regular Sessions

IN SENATE

March 1, 2017

Introduced by Sens. KLEIN, AVELLA, ADDABBO, ALCANTARA, FELDER, HAMILTON, PERALTA, SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Cities -- recommitted to the Committee on Cities in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the administrative code of the city of New York, in relation to the establishment of homeless shelters and the use of units in privately owned hotels for the provision of housing for homeless individuals

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 21-312 of the administrative code of the city of New York is amended by adding a new subdivision f to read as follows:

f. Establishment of new shelters. 1. Not less than forty-five days prior to the public hearing held by the mayor's office of contract services relating to the construction of a homeless shelter, the department shall provide, in not less than two forms of communication, notice of the details of the proposed shelter, including the social services operator of such shelter, the address of such shelter, the expected census of such shelter and the expected certified capacity of such shelter, to the following officials:

(i) the community board of the community in which the proposed shelter is to be located;

(ii) the city council member representing the district in which the proposed shelter is to be located;

(iii) the member of the state assembly representing the district in which the proposed shelter is to be located;

(iv) the state senator representing the district in which the proposed shelter is to be located;

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

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(v) the member of the federal House of Representatives representing the district in which the proposed shelter is to be located; and

(vi) the borough president of the borough in which the proposed shelter is to be located.

2. Within fifteen days of receiving notice pursuant to paragraph one of this subdivision, the community board may request that the department schedule a public hearing to be held within fifteen days at a location within the community to be affected by the proposed shelter for the purpose of gaining public input thereon. Following any such public hearing, the department shall consider all such comments and, in accordance with reasonable concerns raised, modify its proposal for the establishment of a shelter.

3. The department, not less than forty-five days prior to the opening of any new shelter, shall provide notice of the address, proposed census and proposed certified capacity of such shelter to the precinct of the police department in which such shelter is located.

4. Not more than twenty days after the opening of any new shelter, the department shall establish and operate a community advisory board for the shelter to ensure ongoing collaboration with the community. Each such board shall be composed of community members, and designees of local elected officials and the community board.

§ 2. The administrative code of the city of New York is amended by adding a new section 21-321 to read as follows:

§ 21-321 Privately owned hotels providing shelter for homeless individuals. a. On a quarterly basis, the department shall issue a report on the use and proposed use of privately owned hotels for the provision of shelter for homeless individuals. Such report shall be submitted to:

1. each community board for the community in which such a hotel is located;

2. each city council member representing a district in which such a hotel is located;

3. each member of the state assembly representing a district in which such a hotel is located;

4. each state senator representing a district in which such a hotel is located;

5. each member of the federal House of Representatives representing a district in which such a hotel is located; and

6. each borough president.

b. Prior to the placement of any homeless individuals in a privately owned hotel, the department shall inspect and certify the hotel to ensure its safety and the welfare of the homeless individuals to be placed therein. Such inspection to ensure the safety and welfare of individuals shall include, but not be limited to, certification that such building has no outstanding violations. The department shall establish and maintain a list of hotels that have been certified as suitable for placement of homeless individuals with children which shall be made available to the public in accordance with chapter forty-eight of the city charter.

c. In the event that any additional hotel units are required to be utilized to meet a projected need for shelter, the department shall provide notice thereof, not less than one week prior to the utilization of such units, to the appropriate public officials and body listed in subdivision a of this section. Furthermore, the department shall cause an inspection to be made of such units, pursuant to subdivision b of this section, at least one week prior to the utilization thereof.

d. Whenever the department utilizes hotel units on a temporary basis for the housing of homeless persons, it shall provide not less than one week notice thereof to the public officials and body listed in subdivision a of this section, and to the precinct of the police department in which such units are located.

e. In the event the department utilizes twenty-five or more units within any single hotel, or utilizes any hotel unit for more than fifteen consecutive days, it shall provide notice thereof to the public officials and body listed in subdivision a of this section.

f. Within fifteen days of receiving any notice pursuant to subdivision c, d or e of this section, the appropriate community board may schedule to hold a public hearing within fifteen days within the community affected by the hotel for the purpose of gaining public input thereon, which shall be forwarded to the department.

§ 3. Emergency shelter for individuals in privately owned hotels. In the event need for shelter exceeds the inventory of hotels currently eligible for placement pursuant to section 21-321 of the administrative code of the city of New York, as added by section two of this act, due to inclement weather, as defined in section 304.1(a) of title 18 of the New York state codes, rules and regulations, the department of homeless services of the city of New York shall have the authority to temporarily place individuals in hotels and conduct notification of community officials in the same manner as provided in such section of the administrative code of the city of New York, within 48 hours of the placements.

§ 4. This act shall take effect on the thirtieth day after it shall have become a law.