

# STATE OF NEW YORK

10845

## IN ASSEMBLY

May 23, 2018

Introduced by M. of A. ABINANTI, ORTIZ, PICHARDO, DICKENS, D'URSO, MOSLEY, BLAKE, BENEDETTO, MONTESANO, McDONOUGH, GALEF, DAVILA, WOERNER, WRIGHT, COOK, PRETLOW, BARRON, CRESPO, VANEL, M. G. MILLER, BUTLER, McDONALD, RODRIGUEZ, WILLIAMS, HOOPER, LENTOL, MORINELLO, COLTON, CUSICK, WALKER, ERRIGO, BRABENEC, DiPIETRO, PALUMBO, FITZPATRICK, LAWRENCE, RAIA, M. L. MILLER, MURRAY, BARCLAY, B. MILLER, LALOR, AUBRY, SEAWRIGHT -- Multi-Sponsored by -- M. of A. CROUCH, DE LA ROSA, GIGLIO, HIKIND, HYNDMAN, THIELE, WALSH -- read once and referred to the Committee on Mental Health

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:

1 Section 1. The mental hygiene law is amended by adding a new section  
2 16.39 to read as follows:

3 § 16.39 Surveillance cameras.

4 (a) (i) Surveillance cameras with sound capability shall be installed  
5 in all public common areas including, but not limited to, all common  
6 living areas, dining areas, hallways, classrooms and time-out rooms in  
7 all group homes, residential and day schools and programs licensed,  
8 certified, funded or operated by the office which provide services for  
9 children or adults with mental or physical disabilities.

10 (ii) All public common areas including, but not limited to, all common  
11 living areas, dining areas, hallways, classrooms and time-out rooms of a  
12 facility providing residential care to youth which is operated, licensed  
13 or certified by the office of children and family services, or which is  
14 subject to the supervision of such office shall be equipped with  
15 surveillance cameras with sound capability.

16 (b) In all residential facilities statewide, for children with mental  
17 disabilities certified, licensed, funded or operated by the office,  
18 surveillance cameras may be placed in a child's, age thirteen or younger,  
19 room at the request of and with the consent of the child's parent or  
20 guardian and only if the child is in a single occupancy bedroom.

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

LBD10481-01-7

1 (c) Any provider that fails to implement the provisions of this  
2 section shall be subjected to a fine of one thousand dollars per day of  
3 noncompliances.

4 § 2. This act shall take effect one year after it shall have become a  
5 law.