STATE OF NEW YORK

4113

2017-2018 Regular Sessions

IN ASSEMBLY

February 1, 2017

Introduced by M. of A. MAGEE -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the mental hygiene law and the environmental conservation law, in relation to the provision of recreational activities for individuals with mental illness or a developmental disability

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

Section 1. Subdivision (a) of section 7.07 of the mental hygiene law, as amended by section 1 of part I of chapter 58 of the laws of 2005, is amended to read as follows:

(a) The office of mental health is charged with the responsibility for assuring the development of comprehensive plans, programs, and services in the areas of research, prevention, and care, treatment, rehabilitation, education, **fostering enjoyment of recreational activities** and training of the mentally ill. Such plans, programs, and services shall be developed by the cooperation of the office, the other offices of the department where appropriate, local governments, consumers and community organizations and agencies. The office shall provide appropriate facilities and encourage the provision of facilities by local government and community organizations and agencies.

§ 2. Subdivision (a) of section 7.15 of the mental hygiene law, as amended by section 3 of part I of chapter 58 of the laws of 2005, is amended to read as follows:

(a) The commissioner shall plan, promote, establish, develop, coordinate, evaluate, and conduct programs and services of prevention, diagnosis, examination, care, treatment, rehabilitation, training, **enhancement of quality of life** and research for the benefit of the mentally ill. Such programs shall include but not be limited to in-patient, out-patient, partial hospitalization, day care, emergency, rehabilitative, and other appropriate treatments and services. He or she shall take all actions that are necessary, desirable, or proper to implement the

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

LBD08815-02-7

purposes of this chapter and to carry out the purposes and objectives of the department within the amounts made available therefor by appropriation, grant, gift, devise, bequest, or allocation from the mental health services fund established under section ninety-seven-f of the state finance law.

§ 3. Subdivision (a) of section 13.07 of the mental hygiene law, as amended by chapter 168 of the laws of 2010, is amended to read as follows:

(a) The office for people with developmental disabilities shall assure the development of comprehensive plans, programs, and services in the areas of research, prevention, and care, treatment, habilitation, rehabilitation, **fostering enjoyment of recreational activities,** vocational and other education, and training of individuals with developmental disabilities. Such plans, programs, and services shall be developed by the cooperation of the office, other offices of the department where appropriate, other state departments and agencies, local governments, community organizations and agencies providing services to individuals with developmental disabilities, their families and representatives. It shall provide appropriate facilities, programs, supports and services and encourage the provision of facilities, programs, supports and services by local government and community organizations and agencies.

§ 4. Subdivision (a) of section 13.15 of the mental hygiene law, as amended by chapter 37 of the laws of 2011, is amended to read as follows:

(a) The commissioner shall plan, promote, establish, develop, coordinate, evaluate, and conduct programs and services of prevention, diagnosis, examination, care, treatment, rehabilitation, training, **enhancement of life** and research for the benefit of individuals with developmental disabilities. Such programs shall include but not be limited to in-patient, out-patient, partial hospitalization, day care, emergency, rehabilitative, and other appropriate treatments and services. He shall take all actions that are necessary, desirable, or proper to implement the purposes of this chapter and to carry out the purposes and objectives of the office within the amounts made available therefor by appropriation, grant, gift, devise, bequest, or allocation from the mental health services fund established under section ninety-seven-f of the state finance law.

§ 5. Section 11-0707 of the environmental conservation law is amended by adding a new subdivision 3-a to read as follows:

3-a. Any person who has a mental illness or developmental disability, as such terms are defined in section 1.03 of the mental hygiene law, may take fish as if he or she held a fishing license, except that he or she may not take bait fish by net or trap. Such person shall be authorized to take fish upon possessing some form of identifying information that indicates such person has a mental illness or developmental disability.

§ 6. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided, however, that effective immediately, the commissioners of mental health, developmental disabilities and environmental conservation are authorized and directed to add, amend, and/or repeal any rule or regulation necessary for the timely implementation of this act on such effective date.