STATE OF NEW YORK

4191

2017-2018 Regular Sessions

IN ASSEMBLY

February 1, 2017

Introduced by M. of A. CYMBROWITZ -- read once and referred to the Committee on Alcoholism and Drug Abuse

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:

Section 1. Paragraph 1 of subdivision (b) of section 32.31 of the mental hygiene law, as amended by chapter 529 of the laws of 2004, is amended to read as follows:

1. An application for approval of the proposed certificate of incorporation or articles of organization shall be filed with the commissioner together with such other forms and information as shall be prescribed by, or acceptable to, him or her. Thereafter, the commissioner shall forward a copy of the proposed certificate or articles [~~or~~] **of** organization and application for establishment and accompanying documents, to the local governmental unit of the area in which such facility is to be located. The commissioner shall not act upon such application until the local governmental unit has had a reasonable time to submit their recommendations. **The local governmental unit shall solicit and include in its recommendations input received from an incorporated village if such facility is to be located therein, a town if such facility is to be located therein and not simultaneously within an incorporated village or a city if such facility is to be located therein except that in the city of New York, such input shall be provided by the community board with jurisdiction over the area where such facility is to be located.**

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

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

LBD06468-01-7