

# STATE OF NEW YORK

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3378

2017-2018 Regular Sessions

## IN SENATE

January 23, 2017

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Introduced by Sens. GRIFFO, FUNKE, RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to providing additional discharge planning for persons being released from civil confinement

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

1 Section 1. Section 10.09 of the mental hygiene law is amended by  
2 adding a new subdivision (i) to read as follows:

3 (i) If the court discharges the respondent from confinement then the  
4 court shall order the director of the secure treatment facility to  
5 prepare a discharge plan. Such plan shall ensure that the respondent is  
6 discharged to his or her county of residence prior to the conviction or  
7 commitment, as appropriate, with supervision which shall include the use  
8 of electronic monitoring or global positioning satellite tracking for an  
9 appropriate period of time to be determined by the court. The respondent  
10 shall be provided suitable clothing adapted to the season in which he or  
11 she is discharged and such clothing shall not exceed sixty-five dollars  
12 in value. Such plan shall also provide for transportation to such resi-  
13 dence and include referral to any services which the commissioner deems  
14 appropriate in the community of residence, including medication, after-  
15 care services and assistance in finding employment following discharge  
16 as provided in section 29.15 of this chapter.

17 § 2. Section 10.11 of the mental hygiene law is amended by adding a  
18 new subdivision (i) to read as follows:

19 (i) If the court discharges the respondent from the regimen of strict  
20 and intensive supervision then the court shall order the director of the  
21 secure treatment facility to prepare a discharge plan. Such plan shall  
22 ensure that the respondent is discharged to his or her county of resi-  
23 dence prior to the conviction or commitment, as appropriate, with super-

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

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vision which shall include the use of electronic monitoring or global positioning satellite tracking for an appropriate period of time to be determined by the court. The respondent shall be provided suitable clothing adapted to the season in which he or she is discharged and such clothing shall not exceed sixty-five dollars in value. Such plan shall also provide for transportation to such residence and include referral to any services which the commissioner deems appropriate in the community of residence, including medication, aftercare services and assistance in finding employment following discharge as provided in section 29.15 of this chapter.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.