

# STATE OF NEW YORK

6841

2017-2018 Regular Sessions

## IN SENATE

July 28, 2017

Introduced by Sen. FLANAGAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the parks, recreation and historic preservation law and the executive law, in relation to providing beach access routes for mobility impaired persons

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

1 Section 1. The parks, recreation and historic preservation law is  
2 amended by adding a new section 13.33 to read as follows:

3 § 13.33 Access routes for mobility impaired persons to state beaches.

4 1. Beach areas operated by the office shall include beach access routes  
5 provided for mobility impaired persons connecting the entry point of the  
6 beach to the:

7 (a) median high tide level at tidal beaches;

8 (b) mean high water level at river beaches; or

9 (c) normal recreation water level at lake, pond, and reservoir beach-  
10 es.

11 2. Such access routes may be provided by means of mats, of no less  
12 than five feet in width, or by such other equally effective system as  
13 may be determined to be more suitable by the office. Access routes are  
14 to have a slope of no more than ten percent, and are to include rest  
15 areas of at least five feet square at appropriate intervals as deter-  
16 mined by the office.

17 § 2. Paragraph (c) of subdivision 2 of section 296 of the executive  
18 law is amended by adding a new subparagraph (vi) to read as follows:

19 (vi) (A) where such person is a local or state government entity, a  
20 refusal to ensure that access routes are provided for mobility impaired  
21 persons from the entry point of the beach open to the:

22 (1) median high tide level at tidal beaches;

23 (2) mean high water level at river beaches; or

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

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1 (3) normal recreation water level at lake, pond, and reservoir beach-  
2 es.

3 (B) Such access routes may be provided by means of mats, of no less  
4 than five feet in width, or by such other equally effective system as  
5 may be determined to be more suitable by the office of parks, recreation  
6 and historic preservation. Access routes are to have a slope of no more  
7 than ten percent, and are to include rest areas of at least five feet  
8 square at appropriate intervals as determined by such office.

9 § 3. This act shall take effect on the one hundred twentieth day after  
10 it shall have become a law; provided that any rules and regulations  
11 necessary to implement the provisions of this act on its effective date  
12 are authorized and directed to be promulgated and shall become effective  
13 on such date.