

# STATE OF NEW YORK

1422

2019-2020 Regular Sessions

## IN ASSEMBLY

January 15, 2019

Introduced by M. of A. SANTABARBARA -- read once and referred to the  
Committee on Mental Health

AN ACT establishing a moratorium on the placement of registered sex  
offenders by the office for people with developmental disabilities in  
residential placements for individuals with developmental disabilities

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

- 1 Section 1. Moratorium on the placement of registered sex offenders in  
2 residential placements for individuals with developmental disabilities.  
3 1. Notwithstanding any provision of law to the contrary, there is here-  
4 by established a moratorium on the placement by the office for people  
5 with developmental disabilities of registered sex offenders, pursuant to  
6 article 6-C of the correction law, in any residential placement for  
7 individuals with developmental disabilities. The moratorium shall  
8 continue in existence until the office for people with developmental  
9 disabilities reports to the governor and the legislature on its findings  
10 and recommendations as required by subdivision 2 of this section.  
11 2. The office for people with developmental disabilities, in cooper-  
12 ation with the department of mental hygiene and the department of  
13 corrections and community supervision, shall conduct a comprehensive  
14 study to determine: (i) the dangers to the physical and mental health of  
15 current developmentally disabled residents that may result from the  
16 placement of registered sex offenders in such residences; (ii) any other  
17 possible implications of placing registered sex offenders in such resi-  
18 dences; and (iii) whether there are any other practicable alternatives  
19 to such placements.  
20 § 2. This act shall take effect immediately.

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

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