STATE OF NEW YORK

1034

2023-2024 Regular Sessions

IN ASSEMBLY

January 13, 2023

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

AN ACT to amend the executive law, in relation to the powers and duties of the advisory council of the justice center for the protection of people with special needs

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

Section 1. Section 561 of the executive law is amended by adding a new subdivision 6-a to read as follows:

6-a. The council shall review the mission and operations of the justice center for the protection of people with special needs, the validity of claims of abuse and neglect and the appropriateness of prosecutorial actions. This review shall also include but not be limited to:

(a) ensuring that allegations of abuse and neglect are valid and if so have been promptly and fully investigated;

(b) reviewing common standards and requirements for investigators;

(c) ensuring that individuals who are responsible for abuse and neglect have been held accountable;

(d) reviewing all prosecutorial conduct and ensuring all prosecutions were valid and within the mission of the agency;

(e) reviewing the register of names of individuals found responsible for acts of abuse or neglect and whether such individuals have been barred from employment in the care of people with special needs; and

(f) reviewing investigations and procedures related to cases involving death.

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

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

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