STATE OF NEW YORK

1905--A

2023-2024 Regular Sessions

IN SENATE

January 17, 2023

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Alcoholism and Substance Abuse -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to require that the siting, construction and establishment of methadone program facilities in cities having a population of one million or more be dispersed in the boroughs of such cities in proportion to the population of each such borough

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

Section 1. Notwithstanding any provision of law to the contrary, within cities having a population of one million or more, methadone program facilities registered with the office of addiction services and supports pursuant to section 19.16 of the mental hygiene law within each such city shall be sited, constructed and/or established throughout the boroughs of such city in proportion to each borough's population to the city's total population. Provided, however, that the provisions of this section shall not apply to the siting, construction or establishment of any methadone program facility for which the appropriate community board or, if there be no community board, the appropriate neighborhood board shall have granted an exemption from such provisions.

§ 2. Methadone program facilities sited, constructed and/or established within cities having a population of one million or more after the effective date of this act shall be first located in those boroughs of the city which have the lowest concentration of such facilities in proportion to the borough population to the city's population. Once each borough has achieved proper proportionality pursuant to this section, siting, construction, and/or establishment of such facilities shall continue within a city having a population of one million or more with such proportionality requirements in mind.

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

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§ 3. Notwithstanding any other provision of law to the contrary, no methadone program facility shall be sited, constructed or established within a city having a population of one million or more unless the appropriate community board, or, if there be no community board, the appropriate neighborhood board shall have approved the siting, construction or establishment of such facility.

§ 4. This act shall take effect immediately.