

STATE OF NEW YORK

2190

2023-2024 Regular Sessions

IN SENATE

January 19, 2023

Introduced by Sens. BAILEY, FERNANDEZ -- read twice and ordered printed,
and when printed to be committed to the Committee on Civil Service and
Pensions

AN ACT to amend the civil service law, in relation to excused absence of
a public employee for mental health purposes

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

1 Section 1. The civil service law is amended by adding a new section
2 159-e to read as follows:

3 § 159-e. Excused leave for mental or behavioral health. 1. Every
4 public officer, employee of this state, employee of any county, employee
5 of any community college, employee of any public authority, employee of
6 any public benefit corporation, employee of any board of cooperative
7 educational services (BOCES), employee of any vocational education and
8 extension board, or a school district enumerated in section one of chap-
9 ter five hundred sixty-six of the laws of nineteen hundred sixty-seven,
10 employee of any municipality, employee of any school district, any
11 employee of a participating employer in the New York state and local
12 employees' retirement system or any employee of a participating employer
13 in the New York state teachers' retirement system shall be entitled to
14 absent himself or herself and shall be deemed to have a paid leave of
15 absence from his or her duties or service as such public officer,
16 employee of this state, employee of any county, employee of any communi-
17 ty college, employee of any public authority, employee of any public
18 benefit corporation, employee of any board of cooperative educational
19 services (BOCES), employee of any vocational education and extension
20 board, or a school district enumerated in section one of chapter five
21 hundred sixty-six of the laws of nineteen hundred sixty-seven, employee
22 of any municipality, employee of any school district, any employee of a
23 participating employer in the New York state and local employees'
24 retirement system or any employee of a participating employer in the New

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

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1 York state teachers' retirement system for the purpose of mental or
2 behavioral health.

3 2. Absence for the mental or behavioral health pursuant to this
4 section shall not be charged to the sick time allotted for such employ-
5 ee.

6 § 2. This act shall take effect immediately.