STATE OF NEW YORK

9902

IN SENATE

September 6, 2024

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

AN ACT to amend the public health law and the social services law, in relation to prohibiting the establishment or operation of a shelter for asylum seekers on a property that was formerly operated as an assisted living residence

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

Section 1. Short title. This act shall be known and may be cited as the "Island Shores law".

§ 2. Subdivision 2 of section 4653-a of the public health law is amended by adding a new paragraph (e) to read as follows:

(e) (i) No former operator of an assisted living residence shall be granted authority or approval to establish and/or operate a facility intending to house asylum seekers after such operator has notified the appropriate regional office of the department that the operator intends to close and/or decertify the assisted living residence.

(ii) For the purposes of this paragraph, "asylum seeker" shall mean an individual who changes their country of usual residence to seek temporary or permanent residence in another country, and who has applied for asylum under 8 U.S. Code § 1158 or is eligible to apply; or who is a refugee as defined by section 101(a)(42) of the Immigration and Nationality Act (INA).

§ 3. Section 43 of the social services law is amended by adding a new subdivision 12 to read as follows:

12. (a) The commissioner shall not enter into any contract for the establishment and/or operation of a facility intending to house asylum seekers with a former operator of an assisted living residence after such operator has notified the appropriate regional office of the department of health that such operator intends to close and/or decertify the assisted living residence pursuant to section four thousand six hundred fifty-three-a of the public health law.

(b) For the purposes of this subdivision, "asylum seeker" shall mean an individual who changes their country of usual residence to seek

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

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temporary or permanent residence in another country, and who has applied for asylum under 8 U.S. Code § 1158 or is eligible to apply; or who is a refugee as defined by section 101(a)(42) of the Immigration and Nationality Act (INA).

§ 4. This act shall take effect immediately.