

# STATE OF NEW YORK

2033

2025-2026 Regular Sessions

## IN SENATE

January 15, 2025

Introduced by Sens. HARCKHAM, HINCHEY, KRUEGER, MYRIE, WALCZYK, WEBER --  
read twice and ordered printed, and when printed to be committed to  
the Committee on Judiciary

### CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing amendments to sections 3 and 4 of article 17 of the constitu-  
tion, in relation to the protection and promotion of the mental health  
of New Yorkers

1 Section 1. Resolved (if the Assembly concur), That section 3 of arti-  
2 cle 17 of the constitution be amended to read as follows:

3 § 3. The protection and promotion of the physical and mental health of  
4 the inhabitants of the state are matters of public concern and provision  
5 therefor shall be made by the state and by such of its subdivisions and  
6 in such manner, and by such means as the legislature shall from time to  
7 time determine.

8 § 2. Resolved (if the Assembly concur), That section 4 of article 17  
9 of the constitution be amended to read as follows:

10 § 4. The care and treatment of persons suffering from mental disorder  
11 or defect and the protection of the mental health of the inhabitants of  
12 the state [~~may~~] shall be provided by state and local authorities and in  
13 such manner as the legislature [~~may~~] shall from time to time determine.  
14 The head of the department of mental hygiene shall visit and inspect, or  
15 cause to be visited and inspected by members of [~~his or her~~] the head of  
16 the department's staff, all institutions either public or private used  
17 for the care and treatment of persons suffering from mental disorder or  
18 defect.

19 § 3. Resolved (if the Assembly concur), That the foregoing amendment  
20 be referred to the first regular legislative session convening after the  
21 next succeeding general election of members of the assembly, and, in  
22 conformity with section 1 of article 19 of the constitution, be  
23 published for 3 months previous to the time of such election.

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

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