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 constitution, in relation to the protection and promotion of the mental health of New Yorkers

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

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

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

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

§ 3. Resolved (if the Assembly concur), That the foregoing amendment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be 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.

LBD89003-01-5