

Legislative Bill Drafting Commission
13688-03-2

S. -----
 Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

SOCISELA

(Relates to mandatory reporting of
suspected child abuse or maltreat-
ment at summer day camps)

Soc Serv. sum camp abuse

AN ACT

to amend the social services law and
the public health law, in relation
to mandatory reporting of suspected
child abuse or maltreatment at
summer day camps

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

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal:

s20 Adams	s44 Farley	s58 Kennedy	s18 Montgomery	s23 Savino
s15 Addabbo	s02 Flanagan	s34 Klein	s54 Nozzolio	s28 Serrano
s55 Alesi	s08 Fuschillo	s26 Krueger	s53 O'Mara	s51 Seward
s11 Avella	s59 Gallivan	s27 Kruger	s37 Oppenheimer	s09 Skelos
s40 Ball	s12 Gianaris	s24 Lanza	s21 Parker	s14 Smith
s42 Bonacic	s22 Golden	s39 Larkin	s13 Peralta	s25 Squadron
s46 Breslin	s47 Griffo	s01 LaValle	s30 Perkins	s16 Stavisky
s38 Carlucci	s60 Grisanti	s52 Libous	s61 Ranzzenhofer	s35 Stewart-
s50 DeFrancisco	s06 Hannon	s45 Little	s48 Ritchie	Cousins
s32 Diaz	s36 Hassell-	s05 Marcellino	s33 Rivera	s49 Valesky
s17 Dilan	Thompson	s07 Martins	s56 Robach	s57 Young
s29 Duane	s10 Huntley	s62 Maziarz	s41 Saland	s03 Zeldin
s31 Espaillat	s04 Johnson	s43 McDonald	s19 Sampson	

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

a049 Abbate	a107 Crouch	a095 Jaffee	a038 Miller, M.	a118 Russell
a092 Abinanti	a014 Curran	a057 Jeffries	a052 Millman	a144 Ryan
a105 Amedore	a063 Cusick	a135 Johns	a103 Molinaro	a012 Saladino
a084 Arroyo	a045 Cymbrowitz	a112 Jordan	a015 Montesano	a113 Sayward
a035 Aubry	a034 DenDekker	a099 Katz	a132 Morelle	a029 Scarborough
a124 Barclay	a081 Dinowitz	a074 Kavanagh	a039 Moya	a016 Schimel
a040 Barron	a114 Duprey	a065 Kellner	a003 Murray	a140 Schimminger
a082 Benedetto	a004 Englebright	a100 Kirwan	a037 Nolan	a145 Schroeder
a122 Blankenbush	a054 Espinal	a129 Kolb	a128 Oaks	a064 Silver
a055 Boyland	a071 Farrell	a025 Lancman	a069 O'Donnell	a027 Simanowitz
a008 Boyle	a123 Finch	a091 Latimer	a051 Ortiz	a036 Simotas
a026 Braunstein	a007 Fitzpatrick	a013 Lavine	a136 Palmesano	a146 Smardz
a044 Brennan	a137 Friend	a050 Lentol	a088 Paulin	a093 Spano
a116 Brindisi	a143 Gabryszak	a125 Lifton	a141 Peoples-	a079 Stevenson
a131 Bronson	a090 Galef	a072 Linares	Stokes	a011 Sweeney
a046 Brook-Krasny	a133 Gantt	a127 Lopez, P.	a058 Perry	a110 Tedisco
a147 Burling	a077 Gibson	a053 Lopez, V.	a087 Pretlow	a115 Tenney
a117 Butler	a149 Giglio	a001 Losquadro	a073 Quart	a002 Thiele
a101 Cahill	a066 Glick	a126 Lupardo	a021 Ra	a061 Titone
a096 Calhoun	a023 Goldfeder	a111 Magee	a097 Rabbitt	a031 Titus
a043 Camara	a150 Goodell	a120 Magnarelli	a009 Raia	a062 Tobacco
a106 Canestrari	a075 Gottfried	a059 Maisel	a006 Ramos	a041 Weinstein
a089 Castelli	a005 Graf	a060 Malliotakis	a134 Reilich	a020 Weisenberg
a086 Castro	a098 Gunther	a030 Markey	a109 Reilly	a024 Weprin
a138 Ceretto	a130 Hanna	a019 McDonough	a078 Rivera, J.	a070 Wright
a033 Clark	a139 Hawley	a104 McEneny	a080 Rivera, N.	a094 Zebrowski
a047 Colton	a083 Heastie	a017 McKevitt	a076 Rivera, P.	a148
a010 Conte	a028 Hevesi	a108 McLaughlin	a119 Roberts	
a032 Cook	a048 Hikind	a022 Meng	a056 Robinson	
a142 Corwin	a018 Hooper	a121 Miller, D.	a068 Rodriguez	
a085 Crespo	a042 Jacobs	a102 Miller, J.	a067 Rosenthal	

1) Single House Bill (introduced and printed separately in either or
both houses). Uni-Bill (introduced simultaneously in both houses and printed
as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2
signed copies of bill and 4 copies of memorandum in support (single house);
or 4 signed copies of bill and 8 copies of memorandum
in support (uni-bill).

1 Section 1. Paragraph (a) of subdivision 1 of section 413 of the social
2 services law, as amended by chapter 91 of the laws of 2011, is amended
3 to read as follows:

4 (a) The following persons and officials are required to report or
5 cause a report to be made in accordance with this title when they have
6 reasonable cause to suspect that a child coming before them in their
7 professional or official capacity is an abused or maltreated child, or
8 when they have reasonable cause to suspect that a child is an abused or
9 maltreated child where the parent, guardian, custodian or other person
10 legally responsible for such child comes before them in their profes-
11 sional or official capacity and states from personal knowledge facts,
12 conditions or circumstances which, if correct, would render the child an
13 abused or maltreated child: any physician; registered physician assist-
14 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;
15 osteopath; optometrist; chiropractor; podiatrist; resident; intern;
16 psychologist; registered nurse; social worker; emergency medical techni-
17 cian; licensed creative arts therapist; licensed marriage and family
18 therapist; licensed mental health counselor; licensed psychoanalyst;
19 hospital personnel engaged in the admission, examination, care or treat-
20 ment of persons; a Christian Science practitioner; school official,
21 which includes but is not limited to college coach, athletic director,
22 professor, graduate assistant, college administrator, college president,
23 school teacher, school guidance counselor, school psychologist, school
24 social worker, school nurse, school administrator or other school
25 personnel required to hold a teaching or administrative license or
26 certificate; social services worker; director or any paid staff member
27 of a children's overnight camp, summer day camp or traveling summer day
28 camp, as such camps are defined in section thirteen hundred ninety-two

1 of the public health law, such paid staff members shall include, but not
2 be limited to any individuals who may interact with children through
3 employment at such camps or employment at premises where such camps are
4 located; day care center worker; school-age child care worker; provider
5 of family or group family day care; employee or volunteer in a residen-
6 tial care facility defined in subdivision four of section four hundred
7 twelve-a of this title or any other child care or foster care worker;
8 mental health professional; substance abuse counselor; alcoholism coun-
9 selor; all persons credentialed by the office of alcoholism and
10 substance abuse services; peace officer; police officer; district attor-
11 ney or assistant district attorney; investigator employed in the office
12 of a district attorney; or other law enforcement official.

13 § 2. Subdivision 2 of section 1392 of the public health law, as
14 amended by chapter 439 of the laws of 2009, is amended to read as
15 follows:

16 2. "Summer day camp" shall mean a property consisting of a tract of
17 land and any tents, vehicles, buildings or other structures that may be
18 pertinent to its use, any part of which may be occupied on a scheduled
19 basis at any time between June first and September fifteenth in any year
20 by children under sixteen years of age under general supervision, for
21 the purpose of any indoor or outdoor organized group activities, involv-
22 ing one or more: (i) nonpassive recreational activities with significant
23 risk of injury, as such activities are defined by the department in
24 rules and regulations, or (ii) educational programs or activities, for a
25 period of less than twenty-four hours on any day the property is so
26 occupied, and on which no provisions are made for overnight occupancy by
27 such children. The commissioner shall have the power to except by rule
28 from this article and the sanitary code a place, facility or activity

1 that is not within the intent of this definition, provided that no
2 exception may be granted to a summer day camp which is dedicated to a
3 single activity if that activity meets the criteria of a nonpassive
4 recreational activity with significant risk of injury or is an educa-
5 tional program or activity.

6 § 3. This act shall take effect on the one hundred twentieth day after
7 it shall have become a law. Effective immediately, the addition, amend-
8 ment and/or repeal of any rule or regulation necessary for the implemen-
9 tation of this act on its effective date is authorized to be made on or
10 before such date.