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Int. No. 198

By Council Members Lopez, Baez, Boyland, Clarke, Foster, Gerson, Martinez, Monserrate, Perkins, Quinn, Recchia, Rivera, Sears, Moskowitz, Koppell, Vann, Addabbo, Barron, Fidler, Gentile, Weprin, Gennaro and Jackson

A Local Law to amend the New York city charter, in relation to creating an office for people with disabilities.

Be it enacted by the Council as follows:

Section 1. Legislative declaration of intent. The rights and needs of people with disabilities are matters of significant concern to the City of New York. In order to better recognize the rights and the needs of people with disabilities, it is necessary to provide for greater cooperation, communication and coordination of functions and services on a citywide basis. The Council finds and declares that a new City agency should be established for developing citywide policies concerning people with disabilities, overseeing and assisting in the implementation of City compliance with laws recognizing the rights of people with disabilities, providing referrals and information on disability-related matters, and serving as a liaison between City government and

the disabled community. Through this legislation, the Council intends to create an agency to focus on the needs of the disabled community.

§2. The New York city charter is amended by adding a new chapter 36-A to read as follows:

Chapter 36-A

Office for People with Disabilities

§840. Office, director. There shall be an office for people with disabilities which shall be headed by a director who shall be appointed by the mayor.

§841. Powers and duties. The director shall:

1. act in conjunction with other city agencies, be responsible for developing, coordinating and formulating city policies relating to all people with disabilities and for overseeing the implementation of such policies;

2. act as a public advocate for the rights and needs of all people with disabilities in connection with all issues affecting this population;

3. be responsible for corresponding and overseeing city compliance with all federal, state and city laws concerning the human and civil rights of people with disabilities;

4. coordinate and analyze existing city programs for people with disabilities, develop and promote additional programs, and act as the liaison between the city and public and private agencies, organizations and individuals in the development of programs affecting people with disabilities;

5. provide a means of communication among people with disabilities, the mayor, public and private agencies and the community at large;

6. propose city, state and federal legislation founded upon the needs of people with disabilities as ascertained by the office;

7. with the cooperation of all city agencies, compile demographic and statistical data regarding the number of people with disabilities within the city and the nature of their disabilities in order to develop appropriate policies and programs;

8. provide assistance to people with disabilities through the provision of information and referral services, and by facilitating the resolution of complaints concerning services and the administrative actions of city agencies and others;

9. develop plans and coordinate with other city agencies for the development and implementation of housing initiatives for people with disabilities and recommend to the mayor arrangements with other government agencies or with not-for-profit and for-profit entities for such development;

10. ensure that private entities utilizing city property or having a contract with the city are in compliance with all applicable

federal, state and local laws concerning the human and civil rights of people with disabilities; and

11. locate and utilize funding sources, both public and private, in order to assist in the implementation of these responsibilities.

§842. Agency plans. a. The department of personnel, the city civil service commissioner, the equal employment practices commission and the commission on human rights shall consult with the office for people with disabilities concerning all policies affecting the employment of people with disabilities and shall submit copies to the office for review, comment and recommendations of all reports and plans prepared by city agencies relating to the employment of people with disabilities, including those required under chapters thirty-five and thirty-six of this charter, but excepting reports filed with the commission on human rights with respect to a complaint filed with that commission. The office shall forward copies of its comments and recommendations to all appropriate city agencies, as well as to the deputy mayor for operations, and shall take further appropriate actions to assist in implementing its recommendations.

b. Each city agency, not later than the first day of October of every year, shall develop and submit to the office for people with disabilities for review, comments and recommendations, a plan, in such form as the office shall prescribe, setting forth, where applicable to the activities of the agency, goals, timetables, implementation activities, as well as actual agency expenditures for the preceding fiscal year, budgetary allocations for the current fiscal year and proposed budgetary allocations for the coming fiscal year, for enhancing: (i) the provision of services to people with disabilities; (ii) the employment of people with disabilities; and (iii) the making of city facilities under the jurisdiction of the agency accessible to and usable by people with disabilities. The office shall forward its comments and recommendations to the mayor and all appropriate city agencies and shall take further appropriate action to assist in the implementation of such plans. The office shall make such agency plans available for public inspection during normal business hours.

§3. This local law shall take effect immediately.