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2011-2012 Regular Sessions

I N   S E N A T E

January 7, 2011

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Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

AN ACT to amend the correction law, in relation to the closure of correctional facilities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 3 of section 79-a of the correction law, as  
2 amended by section 1 of part H of chapter 56 of the laws of 2009, is  
3 amended to read as follows:  
4     3. provide notice by certified mail to (i) all local governments of  
5 any political subdivision in which the correctional facility is located,  
6 (ii) all employee labor organizations operating within, or representing  
7 employees of, the correctional facility, and (iii) managerial and confi-  
8 dential employees employed within the correctional facility at least  
9 [twelve] TWENTY-FOUR months prior to any such closure.  
10     S 2. Section 79-b of the correction law, as amended by section 1 of  
11 part MM of chapter 56 of the laws of 2010, is amended to read as  
12 follows:  
13     S 79-b. Adaptive reuse plan for consideration prior to prison closure.  
14 [Not later than six months prior to the effective date of closure of a  
15 correctional facility, the] THE commissioner of economic development  
16 shall, in consultation with the commissioner, the commissioners of civil  
17 service, general services and the division of criminal justice services,  
18 the director of the governor's office of employee relations, officials  
19 of all local governments of any political subdivision in which the  
20 correctional facility is located and any other appropriate state agen-  
21 cies or authorities, provide AT THE TIME THE NOTICE OF CLOSURE OF A  
22 CORRECTIONAL FACILITY IS PROVIDED IN ACCORDANCE WITH SUBDIVISION THREE  
23 OF SECTION SEVENTY-NINE-A OF THIS ARTICLE, a report for an adaptive  
24 reuse plan for any facility slated for closure which will evaluate the

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

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1 community impact of the proposed closure including but not limited to  
2 the following factors: the potential to utilize the property for another  
3 state government purpose, including for a new purpose as part of the  
4 state criminal justice system; potential for the sale or transfer of the  
5 property to a local government or other governmental entity; potential  
6 for the sale of the property to a private entity for development into a  
7 business, residential or other purpose; community input for local devel-  
8 opment; and the condition of the facility and the investments required  
9 to keep the structure in good repair, or to make it viable for reuse.

10 S 3. This act shall take effect immediately and shall apply to any  
11 notice provided pursuant to subdivision 3 of section 79-a of the  
12 correction law, as amended by section one of this act, on or after Janu-  
13 ary 1, 2011.