

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sens. MONTGOMERY, ADAMS, DUANE, HASSELL-THOMPSON, KRUEGER, PARKER, SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the executive law and the state finance law, in relation to establishing a juvenile justice smart investment program for the purpose of reducing juvenile justice placements through program modifications and services

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

1 Section 1. The executive law is amended by adding a new section 531-a
2 to read as follows:
3 S 531-A. THE JUVENILE JUSTICE SMART INVESTMENT PROGRAM. 1. THERE IS
4 HEREBY CREATED A JUVENILE JUSTICE SMART INVESTMENT PROGRAM. FUNDS FOR
5 THE JUVENILE JUSTICE SMART INVESTMENT PROGRAM SHALL BE APPROPRIATED
6 PURSUANT TO SECTION NINETY-NINE-T OF THE STATE FINANCE LAW. AMOUNTS
7 APPROPRIATED TO THE JUVENILE JUSTICE SMART INVESTMENT PROGRAM PURSUANT
8 TO THIS SECTION OR SECTION NINETY-NINE-T OF THE STATE FINANCE LAW SHALL
9 BE MADE AVAILABLE TO THE OFFICE OF CHILDREN AND FAMILY SERVICES WHICH
10 SHALL ONLY USE SUCH APPROPRIATIONS TO FUND PROGRAMS OR SERVICES THAT
11 SEEK TO REDUCE THE NUMBER OF JUVENILE JUSTICE PLACEMENTS PURSUANT TO
12 SUBDIVISION THREE OR FOUR OF SECTION 353.3 OF THE FAMILY COURT ACT, OR
13 JUVENILE DETENTION AS DEFINED IN SUBDIVISION THREE OF SECTION FIVE
14 HUNDRED TWO OF THIS ARTICLE. SUCH PROGRAMS AND SERVICES SHALL INCLUDE,
15 BUT NOT BE LIMITED TO, DEMONSTRATED EFFECTIVE PROGRAMS SUCH AS
16 EVIDENCE-BASED PROGRAMS OR SERVICES THAT PROVIDE ALTERNATIVES, OR SEEK
17 TO DIVERT YOUTH FROM DETENTION AS DEFINED IN SUBDIVISION THREE OF
18 SECTION FIVE HUNDRED TWO OF THIS ARTICLE OR RESIDENTIAL PLACEMENT WITH
19 THE OFFICE OF CHILDREN AND FAMILY SERVICES PURSUANT TO SUBDIVISION THREE
20 OR FOUR OF SECTION 353.3 OF THE FAMILY COURT ACT.

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

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1 S 2. The state finance law is amended by adding a new section 99-t to
2 read as follows:

3 S 99-T. THE JUVENILE JUSTICE SMART INVESTMENT PROGRAM ACCOUNT. 1.
4 THERE IS HEREBY CREATED A MISCELLANEOUS SPECIAL REVENUE FUND TO BE KNOWN
5 AS THE JUVENILE JUSTICE SMART INVESTMENT PROGRAM ACCOUNT. THE JUVENILE
6 JUSTICE SMART INVESTMENT PROGRAM ACCOUNT IS ESTABLISHED IN THE JOINT
7 CUSTODY OF THE STATE COMPTROLLER AND THE COMMISSIONER OF TAXATION AND
8 FINANCE.

9 2. THE JUVENILE JUSTICE SMART INVESTMENT PROGRAM ACCOUNT SHALL CONSIST
10 OF FIFTY PERCENT OF THE SAVINGS THE STATE ACHIEVES ANNUALLY, AS CALCU-
11 LATED IN THE FINANCIAL PLAN AS DEFINED IN SUBDIVISION SEVEN-A OF SECTION
12 TWO OF THIS CHAPTER, AS A RESULT OF ANY ACTIONS TAKEN IN THE CURRENT
13 STATE FISCAL YEAR OR ANY PREVIOUS STATE FISCAL YEARS.

14 3. AMOUNTS APPROPRIATED TO THE JUVENILE JUSTICE SMART INVESTMENT
15 PROGRAM PURSUANT TO THIS SECTION OR PURSUANT TO SECTION FIVE HUNDRED
16 THIRTY-ONE-A OF THE EXECUTIVE LAW SHALL BE MADE AVAILABLE TO THE OFFICE
17 OF CHILDREN AND FAMILY SERVICES WHICH SHALL ONLY USE SUCH APPROPRIATIONS
18 TO FUND PROGRAMS OR SERVICES THAT SEEK TO REDUCE THE NUMBER OF JUVENILE
19 JUSTICE PLACEMENTS PURSUANT TO SUBDIVISION THREE OR FOUR OF SECTION
20 353.3 OF THE FAMILY COURT ACT, OR JUVENILE DETENTION AS DEFINED IN
21 SUBDIVISION THREE OF SECTION FIVE HUNDRED TWO OF THE EXECUTIVE LAW. SUCH
22 PROGRAMS AND SERVICES SHALL INCLUDE, BUT NOT BE LIMITED TO, DEMONSTRATED
23 EFFECTIVE PROGRAMS SUCH AS EVIDENCE-BASED PROGRAMS OR SERVICES THAT
24 PROVIDE ALTERNATIVES, OR SEEK TO DIVERT YOUTH FROM DETENTION AS DEFINED
25 IN SUBDIVISION THREE OF SECTION FIVE HUNDRED TWO OF THE EXECUTIVE LAW OR
26 RESIDENTIAL PLACEMENT WITH THE OFFICE OF CHILDREN AND FAMILY SERVICES
27 PURSUANT TO SUBDIVISION THREE OR FOUR OF SECTION 353.3 OF THE FAMILY
28 COURT ACT.

29 S 3. This act shall take effect April 1, 2011.