

5368

2011-2012 Regular Sessions

I N S E N A T E

May 12, 2011

Introduced by Sen. NOZZOLIO -- 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 authorizing the use of the Ontario county correctional facility for the detention of persons under arrest being held for arraignment

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

1 Section 1. Section 500-a of the correction law is amended by adding a
2 new subdivision 2-k to read as follows:
3 2-K. THE ONTARIO COUNTY CORRECTIONAL FACILITY MAY ALSO BE USED FOR THE
4 DETENTION OF PERSONS UNDER ARREST BEING HELD FOR ARRAIGNMENT IN ANY
5 COURT LOCATED IN THE COUNTY OF ONTARIO.
6 S 2. Section 500-c of the correction law is amended by adding a new
7 subdivision 17 to read as follows:
8 17. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN THE COUNTY OF
9 ONTARIO ALL THE PROVISIONS OF THIS SECTION SHALL EQUALLY APPLY IN ANY
10 CASE WHERE THE SHERIFF IS HOLDING A PERSON UNDER ARREST FOR ARRAIGNMENT
11 PRIOR TO COMMITMENT, AS IF SUCH PERSON HAS BEEN JUDICIALLY COMMITTED TO
12 THE CUSTODY OF THE SHERIFF AND SUCH PERSON MAY BE HELD IN THE ONTARIO
13 COUNTY CORRECTIONAL FACILITY.
14 S 3. This act shall take effect immediately, provided that the amend-
15 ment to section 500-c of the correction law, made by section two of this
16 act, shall not affect the repeal of such section pursuant to section 12
17 of chapter 907 of the laws of 1984, as amended, and shall be deemed
18 repealed therewith.

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

LBD10746-01-1