S T A T E O F N E W Y O R K

65

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:

Section 1. The executive law is amended by adding a new section 531-a to read as follows:

S 531-A. THE JUVENILE JUSTICE SMART INVESTMENT PROGRAM. 1. THERE IS HEREBY CREATED A JUVENILE JUSTICE SMART INVESTMENT PROGRAM. FUNDS FOR THE JUVENILE JUSTICE SMART INVESTMENT PROGRAM SHALL BE APPROPRIATED PURSUANT TO SECTION NINETY-NINE-T OF THE STATE FINANCE LAW. AMOUNTS APPROPRIATED TO THE JUVENILE JUSTICE SMART INVESTMENT PROGRAM PURSUANT TO THIS SECTION OR SECTION NINETY-NINE-T OF THE STATE FINANCE LAW SHALL BE MADE AVAILABLE TO THE OFFICE OF CHILDREN AND FAMILY SERVICES WHICH SHALL ONLY USE SUCH APPROPRIATIONS TO FUND PROGRAMS OR SERVICES THAT SEEK TO REDUCE THE NUMBER OF JUVENILE JUSTICE PLACEMENTS PURSUANT TO SUBDIVISION THREE OR FOUR OF SECTION 353.3 OF THE FAMILY COURT ACT, OR JUVENILE DETENTION AS DEFINED IN SUBDIVISION THREE OF SECTION FIVE HUNDRED TWO OF THIS ARTICLE. SUCH PROGRAMS AND SERVICES SHALL INCLUDE, BUT NOT BE LIMITED TO, DEMONSTRATED EFFECTIVE PROGRAMS SUCH AS EVIDENCE-BASED PROGRAMS OR SERVICES THAT PROVIDE ALTERNATIVES, OR SEEK TO DIVERT YOUTH FROM DETENTION AS DEFINED IN SUBDIVISION THREE OF SECTION FIVE HUNDRED TWO OF THIS ARTICLE OR RESIDENTIAL PLACEMENT WITH THE OFFICE OF CHILDREN AND FAMILY SERVICES PURSUANT TO SUBDIVISION THREE 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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S 2. The state finance law is amended by adding a new section 99-t to read as follows:

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

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

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

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