

1672

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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Introduced by Sens. GRISANTI, MARTINS -- read twice and ordered printed,  
and when printed to be committed to the Committee on Finance

AN ACT to amend the state finance law, in relation to providing funds for the public defense backup center of the New York State Defenders Association; and to amend section 3 of part W of chapter 55 of the laws of 2012 amending the state finance law relating to support for the public defense backup center, in relation to making such provisions permanent

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

1     Section 1. Paragraph (a) of subdivision 2 and paragraph (d) of subdi-  
2 vision 3 of section 98-b of the state finance law, paragraph (a) of  
3 subdivision 2 as amended by section 1 of part W of chapter 55 of the  
4 laws of 2012 and paragraph (d) of subdivision 3 as added by section 2 of  
5 part E of chapter 56 of the laws of 2010, are amended to read as  
6 follows:  
7     (a) The purpose of such fund shall be to (i) assist counties and, in  
8 the case of a county wholly contained within a city, such city, in  
9 providing legal representation for persons who are financially unable to  
10 afford counsel pursuant to article eighteen-B of the county law; (ii)  
11 assist the state, in improving the quality of public defense services  
12 and funding representation provided by assigned counsel paid in accord-  
13 ance with section thirty-five of the judiciary law; (iii) provide  
14 support for the operations, duties, responsibilities and expenses of the  
15 office of indigent legal services and the indigent legal services board  
16 established, respectively, pursuant to sections eight hundred thirty-two  
17 and eight hundred thirty-three of the executive law; and (iv) provide  
18 [support] for SERVICES AND EXPENSES OF the public defense backup center  
19 OF THE NEW YORK STATE DEFENDERS ASSOCIATION.

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

LBD04694-02-3

1 (d) BEGINNING IN STATE FISCAL YEAR TWO THOUSAND THIRTEEN AN ANNUAL  
2 AMOUNT OF THREE MILLION DOLLARS SHALL BE MADE AVAILABLE TO THE NEW YORK  
3 STATE DEFENDERS ASSOCIATION FROM SUCH FUND FOR THE SERVICES AND EXPENSES  
4 OF ITS PUBLIC DEFENSE BACKUP CENTER.

5 (E) Remaining amounts within such fund, after accounting for annual  
6 payments required in paragraphs (a), (b) [and], (c) AND (D) of this  
7 subdivision and subparagraph (iii) of paragraph (a) of subdivision two  
8 of this section shall be distributed in accordance with sections eight  
9 hundred thirty-two and eight hundred thirty-three of the executive law.

10 S 2. Section 3 of part W of chapter 55 of the laws of 2012, amending  
11 the state finance law relating to support for the public defense backup  
12 center is amended to read as follows:

13 S 3. This act shall take effect April 1, 2012 [and shall expire March  
14 31, 2013 when upon such date the provisions of this act shall be deemed  
15 repealed].

16 S 3. This act shall take effect immediately.