

5423

2013-2014 Regular Sessions

I N S E N A T E

May 16, 2013

Introduced by Sen. RITCHIE -- 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 parole violators in Jefferson, Oswego, and Saint Lawrence counties; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. The correction law is amended by adding a new section 23-a
2 to read as follows:
3 S 23-A. TRANSFER OF PAROLE VIOLATORS. 1. IN THE COUNTIES OF JEFFER-
4 SON, OSWEGO, AND ST. LAWRENCE, IF ANY PERSON PRESUMPTIVELY RELEASED,
5 PAROLED, CONDITIONALLY RELEASED, RELEASED TO POST-RELEASE SUPERVISION,
6 OR RECEIVED UNDER THE UNIFORM ACT FOR OUT-OF-STATE PAROLEE SUPERVISION
7 SHALL HAVE BEEN ARRESTED FOR VIOLATING ONE OR MORE CONDITIONS OF HIS OR
8 HER PRESUMPTIVE RELEASE, PAROLE, CONDITIONAL RELEASE OR POST-RELEASE
9 SUPERVISION, SUCH PERSON, AFTER TEN BUSINESS DAYS IN ANY LOCAL CORREC-
10 TIONAL FACILITY, SHALL EITHER BE:
11 A. TRANSFERRED TO A STATE CORRECTIONAL FACILITY, WITH THE COSTS AND
12 RESPONSIBILITIES ASSOCIATED WITH SUCH TRANSFER BORNE BY THE DEPARTMENT
13 PURSUANT TO SECTION SIX HUNDRED TWO OF THIS CHAPTER; OR
14 B. KEPT IN SUCH LOCAL CORRECTIONAL FACILITY, WITH THE COUNTY'S COSTS
15 OF SUCH TEMPORARY DETAINMENT REIMBURSED BY THE DEPARTMENT WHERE SUCH
16 PERSON HAS BEEN CONVICTED OF A PAROLE VIOLATION AND A SENTENCE HAS BEEN
17 PRONOUNCED WHICH REQUIRES THAT HE OR SHE BE COMMITTED TO THE CUSTODY OF
18 THE COMMISSIONER.
19 2. THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION SHALL NOT APPLY
20 IF THE APPROPRIATE COURT GRANTS AN EXTENSION AUTHORIZING THE DETAINEE TO
21 REMAIN IN THE LOCAL CORRECTIONAL FACILITY FOR UP TO TWENTY DAYS PER
22 EXTENSION.

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

LBD10537-01-3

1 S 2. This act shall take effect on the one hundred twentieth day after
2 it shall have become a law and shall expire and be deemed repealed 2
3 years after such effective date. Effective immediately, the addition,
4 amendment and/or repeal of any rule or regulation necessary for the
5 implementation of this act on its effective date is authorized to be
6 made on or before such date.