

5423

2013-2014 Regular Sessions

I N   S E N A T E

May 16, 2013

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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.

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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2     it shall have become a law and shall expire and be deemed repealed 2  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.