

STATE OF NEW YORK

7968

2019-2020 Regular Sessions

IN ASSEMBLY

May 29, 2019

Introduced by M. of A. LENTOL -- read once and referred to the Committee on Correction

AN ACT in relation to authorizing Greene county to enter into an agreement with a contiguous county to share the construction, financing, improvement and/or maintenance of a county jail

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. (a) Notwithstanding any inconsistent provision of law,
2 Greene county may enter into an agreement with a contiguous county to
3 share the construction, financing, improvement and/or maintenance of a
4 county jail. Any such shared county jail shall be physically located in
5 Greene county or such contiguous county. Any agreement made pursuant to
6 this section shall be in accordance with the provisions of article 5-G
7 of the general municipal law. For the purposes of this section, the term
8 "contiguous county" shall, with respect to counties, mean and include
9 "contiguous" as described (with respect to towns and villages) in subdivi-
10 sion 4 of section 750 of the general municipal law.

11 (b) A shared county jail established pursuant to this section shall be
12 considered the county jail of Greene county and such contiguous county
13 for the purposes of any relevant provision of law and be considered a
14 local correctional facility, as such term is defined in subdivision 16
15 of section 2 of the correction law, for all purposes.

16 (c) For purposes of subdivision 2 of section 70.20 of the penal law
17 and any other relevant provision of the criminal procedure law and any
18 other law, such shared county jail shall be considered to be located in
19 Greene county and such contiguous county and be considered the county
20 jail of the county for all courts located in Greene county and such
21 contiguous county. Further, a person taken into custody pursuant to
22 paragraph (b) of subdivision 3 of section 259-i of the executive law may
23 be incarcerated in such shared county jail for an arrest occurring in
24 Greene county or such contiguous county and, if a local revocation hear-

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

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1 ing is to be held pursuant to paragraph (e) of such subdivision 3, the
2 location of such shared county jail shall be considered in determining
3 whether such facility is reasonably near the place of the alleged
4 violation or arrest.

5 § 2. This act shall take effect immediately.