

3019

2009-2010 Regular Sessions

I N A S S E M B L Y

January 22, 2009

Introduced by M. of A. BENJAMIN -- Multi-Sponsored by -- M. of A. CLARK,
GREENE, MILLER -- read once and referred to the Committee on Libraries
and Education Technology

AN ACT to amend the executive law, in relation to requiring library
collections in all youth centers or facilities for detention; and
making an appropriation therefor

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

1 Section 1. The executive law is amended by adding a new section 513-a
2 to read as follows:
3 S 513-A. LIBRARIES. 1. NOTWITHSTANDING ANY PROVISION OF LAW TO THE
4 CONTRARY, THE COMMISSIONER OF CHILDREN AND FAMILY SERVICES, IN CONSULTA-
5 TION WITH THE BOARD OF REGENTS AND THE COMMISSIONER OF EDUCATION, SHALL
6 ESTABLISH AND MAINTAIN LIBRARIES IN ALL YOUTH CENTERS OR FACILITIES FOR
7 DETENTION AS DEFINED IN SECTIONS FIVE HUNDRED TWENTY-SEVEN-A AND FIVE
8 HUNDRED TWO OF THIS ARTICLE, AND DETENTION FACILITIES DESIGNATED PURSU-
9 ANT TO SECTIONS SEVEN HUNDRED TWENTY-FOUR AND 305.2 OF THE FAMILY COURT
10 ACT. THE CONTENT OF SUCH HOLDINGS SHALL CONFORM TO THE FREE PUBLIC
11 LIBRARY PROVISIONS OF PART TWO OF ARTICLE FIVE OF THE EDUCATION LAW.
12 ACCESS TO LIBRARY BOOKS BY DETAINEES SHALL NOT BE INFRINGED BY SUCH
13 TEMPORARY YOUTH DETENTION FACILITY RULES AND REGULATIONS REGARDING
14 PUNISHMENT OF DETAINEES.
15 2. DEVELOPING AND MAINTAINING LIBRARIES IN SUCH TEMPORARY YOUTH
16 DETENTION FACILITIES AS PROVIDED IN SUBDIVISION ONE OF THIS SECTION
17 SHALL BE CONSIDERED PART OF CARE, MAINTENANCE, AND SUPERVISION EXPENSES
18 DESCRIBED AND INCLUDED IN THE REIMBURSEMENT FORMULAE PROVIDED IN SECTION
19 FIVE HUNDRED THIRTY OF THIS ARTICLE.
20 3. THE COMMISSIONER OF CHILDREN AND FAMILY SERVICES AND THE COMMIS-
21 SIONER OF EDUCATION SHALL REPORT, INCLUDING RECOMMENDATIONS, TO THE
22 GOVERNOR AND THE LEGISLATURE ON THE STATUS OF SUCH LIBRARIES IN SUCH
23 COMMISSIONERS' ANNUAL REPORTS.

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

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1 S 2. The sum of two million dollars (\$2,000,000), or so much thereof
2 as may be necessary, is hereby appropriated out of any moneys in the
3 state treasury in the general fund to the credit of the office of chil-
4 dren and family services, not otherwise appropriated for the purposes of
5 carrying out the provisions of this act. Such sum shall be payable on
6 the audit and warrant of the state comptroller on vouchers certified or
7 approved by the commissioner of children and family services, or such
8 commissioner's duly designated representative in the manner provided by
9 law.

10 S 3. This act shall take effect on the one hundred eightieth day after
11 it shall have become a law; provided, however, that effective immediate-
12 ly, the addition, amendment and/or repeal of any rule or regulation
13 necessary for the implementation of this act on its effective date is
14 authorized and directed to be made and completed on or before such
15 effective date; provided, further, that such libraries shall be in use
16 on or before one year of the effective date of this act.