S T A T E O F N E W Y O R K

4039

2009-2010 Regular Sessions

I N A S S E M B L Y

January 29, 2009

Introduced by M. of A. AUBRY -- Multi-Sponsored by -- M. of A. COLTON, COOK -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to removal of sick prisoners from jail and to repeal subdivision 1 of section 508 of such law relating thereto

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

Section 1. Subdivision 1 of section 508 of the correction law is REPEALED and subdivisions 2 and 3 are renumbered subdivisions 1 and 2.

S 2. Subdivision 1 of section 508 of the correction law, as added by chapter 240 of the laws of 1988 and as renumbered by section one of this act, is amended to read as follows:

1. A sheriff, in his discretion, may by written order permit inmates confined in a local correctional facility [upon a sentence of imprisonment] to receive medical diagnosis and treatment in outside hospitals, upon the determination that such outside treatment and diagnosis is necessary by reason of inadequate facilities within the local correctional facility. Such inmates shall remain under the jurisdiction and in the custody of said sheriff while in a hospital and said sheriff shall enforce proper measures in each case to safely maintain such jurisdiction and custody.

S 3. This act shall take effect immediately.

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

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