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

4873

2009-2010 Regular Sessions

I N A S S E M B L Y

February 6, 2009

Introduced by M. of A. ALESSI -- Multi-Sponsored by -- M. of A. FIELDS, ZEBROWSKI -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to the expenses of local facilities housing inmates of the state

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

Section 1. The section heading and subdivision (a) of section 601 of the correction law, the section heading as amended by chapter 39 of the laws of 1977 and subdivision (a) as amended by section 9 of part D of chapter 56 of the laws of 2008, are amended to read as follows:

Delivery of commitment with inmate; payment of fees for transportation; EXPENSES OF LOCAL FACILITIES HOUSING INMATES OF THE STATE.

(a) Whenever an inmate shall be delivered to the superintendent of a state correctional facility pursuant to an indeterminate or determinate sentence, the officer so delivering such inmate shall deliver to such superintendent, a certified copy of the sentence, a certificate of conviction and a copy of any order of protection or temporary order of protection issued against the inmate at the time of sentencing pursuant to section 380.70 of the criminal procedure law received by such officer from the clerk of the court by which such inmate shall have been sentenced, a copy of the report of the probation officer's investigation and report or a detailed statement covering the facts relative to the crime and previous history certified by the district attorney, a copy of the inmate's fingerprint records, a detailed summary of available medical records, psychiatric records and reports relating to assaults, or other violent acts, attempts at suicide or escape by the inmate while in the custody of the local correctional facility; any such medical or psychiatric records in the possession of a health care provider other than the local correctional facility shall be summarized in detail and forwarded by such health care provider to the medical director of the

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

LBD08060-01-9

appropriate state correctional facility upon request; the superintendent shall present to such officer a certificate of the delivery of such inmate, and the fees of such officer for transporting such inmate shall be paid from the treasury upon the audit and warrant of the comptroller. Whenever an inmate of the state is delivered to a local facility, the superintendent shall forward summaries of such records to the local facility with the inmate AND SHALL REIMBURSE SUCH LOCAL FACILITY FOR ANY REASONABLE COSTS ASSOCIATED WITH THE HOUSING OF SUCH INMATE OF THE STATE IN SUCH LOCAL FACILITY. COSTS SHALL BE DETERMINED AND PAID PURSUANT TO THE PROCESS SET FORTH IN SUBDIVISION TWO OF SECTION SIX HUNDRED SIX OF THIS ARTICLE AND REGULATIONS PROMULGATED BY THE COMMISSIONER IN CONSULTATION WITH THE DIRECTOR OF THE BUDGET.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date; and provided further that the amendments to subdivision (a) of section 601 of the correction law made by section one of this act shall be subject to the expiration and reversion of such subdivision as provided in subdivision d of section 74 of chapter 3 of the laws of 1995, as amended.