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

6348

2009-2010 Regular Sessions

I N A S S E M B L Y

March 2, 2009

Introduced by M. of A. GORDON, LUPARDO -- Multi-Sponsored by -- M. of A. BROOK-KRASNY, BURLING, CROUCH, DUPREY, EDDINGTON, ERRIGO, GIGLIO, KOLB, MOLINARO, RAIA, ROBINSON, SALADINO, SCOZZAFAVA, TOWNSEND, WALKER, WEISENBERG -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to the closure of correctional facilities

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

Section 1. Subdivision 3 of section 79-a of the correction law, as amended by section 2 of part D of chapter 63 of the laws of 2005, is amended to read as follows:

3. provide notice by certified mail to (i) all local governments of any political subdivision in which the correctional facility is located, (ii) all employee labor organizations operating within, or representing employees of, the correctional facility, and (iii) managerial and confidential employees employed within the correctional facility at least [twelve] TWENTY-FOUR months prior to any such closure.

S 2. Section 79-b of the correction law, as amended by section 2 of part D of chapter 63 of the laws of 2005, is amended to read as follows:

S 79-b. Adaptive reuse plan for consideration prior to prison closure. [Not later than six months prior to the effective date of closure of a correctional facility, the] THE commissioner shall, in consultation with the commissioners of economic development, civil service and the division of criminal justice services and the director of the governor's office of employee relations, provide AT THE TIME THE NOTICE OF CLOSURE OF A CORRECTIONAL FACILITY IS PROVIDED IN ACCORDANCE WITH SUBDIVISION THREE OF SECTION SEVENTY-NINE-A OF THIS ARTICLE, a report for an adaptive reuse plan for any facility slated for closure which will evaluate the community impact of the proposed closure including but not limited to the following factors: the potential to utilize the property for

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

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another state government purpose, including for a new purpose as part of the state criminal justice system; potential for the sale or transfer of the property to a local government or other governmental entity; potential for the sale of the property to a private entity for development into a business, residential or other purpose; community input for local development; and the condition of the facility and the investments required to keep the structure in good repair, or to make it viable for reuse.

S 3. This act shall take effect immediately and shall apply to any notice provided pursuant to subdivision 3 of section 79-a of the correction law, as amended by section one of this act, on or after January 1, 2009.