

9055

2009-2010 Regular Sessions

I N   A S S E M B L Y

June 23, 2009

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

AN ACT to amend the correction law, in relation to reimbursement of inmate expenses of imprisonment

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

1     Section 1. The correction law is amended by adding a new section 601-e  
2     to read as follows:

3     S 601-E. REIMBURSEMENT FOR COSTS OF IMPRISONMENT. 1. NOTWITHSTANDING  
4     ANY PROVISION OF LAW TO THE CONTRARY, THE EXPENSE OF MAINTAINING INMATES  
5     IMPRISONED IN A CORRECTIONAL FACILITY OPERATED BY THE DEPARTMENT SHALL  
6     BE UPON THE INMATES ACCORDING TO THE SCHEDULE SET FORTH IN SUBDIVISION  
7     TWO OF THIS SECTION.

8     2. (A) THE FOLLOWING SCHEDULE SHALL BE USED TO DETERMINE THE PERCENT-  
9     AGE OF THE EXPENSE OF MAINTAINING AN INMATE REQUIRED TO BE PAID BY SUCH  
10    INMATE:

11    (I) AN INMATE WITH TOTAL ASSETS OF TWO HUNDRED THOUSAND DOLLARS OR  
12    MORE, ONE HUNDRED PERCENT OF SUCH EXPENSE;

13    (II) AN INMATE WITH TOTAL ASSETS OF ONE HUNDRED SIXTY THOUSAND DOLLARS  
14    OR MORE BUT LESS THAN TWO HUNDRED THOUSAND DOLLARS, EIGHTY PERCENT OF  
15    SUCH EXPENSE;

16    (III) AN INMATE WITH TOTAL ASSETS OF ONE HUNDRED TWENTY THOUSAND  
17    DOLLARS OR MORE BUT LESS THAN ONE HUNDRED SIXTY THOUSAND DOLLARS, SIXTY  
18    PERCENT OF SUCH EXPENSE;

19    (IV) AN INMATE WITH TOTAL ASSETS OF EIGHTY THOUSAND DOLLARS OR MORE  
20    BUT LESS THAN ONE HUNDRED TWENTY THOUSAND DOLLARS, FORTY PERCENT OF SUCH  
21    EXPENSE;

22    (V) AN INMATE WITH TOTAL ASSETS OF FORTY THOUSAND DOLLARS OR MORE BUT  
23    LESS THAN EIGHTY THOUSAND DOLLARS, TWENTY PERCENT OF SUCH EXPENSE; AND

24    (VI) AN INMATE WITH TOTAL ASSETS OF LESS THAN FORTY THOUSAND DOLLARS,  
25    ZERO PERCENT OF SUCH EXPENSE.

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

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1 (B) FOR PURPOSES OF THIS SUBDIVISION, THE TERM "TOTAL ASSETS" SHALL  
2 NOT INCLUDE THE VALUE OF THE INMATE'S HOME OR ANY EQUITY IN SUCH HOME.  
3 3. THE COMMISSIONER IS HEREBY AUTHORIZED AND DIRECTED TO PROMULGATE  
4 RULES AND REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION.  
5 S 2. This act shall take effect on the one hundred twentieth day after  
6 it shall have become a law; provided, however, that effective immediate-  
7 ly, the addition, amendment and/or repeal of any rule or regulation  
8 necessary for the implementation of this act on its effective date is  
9 authorized to be made and completed on or before such date.