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

S. 6765 A. 9826

S E N A T E - A S S E M B L Y

February 3, 2010

IN SENATE -- Introduced by Sen. FARLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

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

AN ACT to amend the correction law, in relation to authorizing the Montgomery county correctional facility to also be used for the detention of persons under arrest being held for arraignment in any court located in the county of Montgomery

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

Section 1. Section 500-a of the correction law is amended by adding a new subdivision 2-j to read as follows:

2-J. THE MONTGOMERY COUNTY CORRECTIONAL FACILITY MAY ALSO BE USED FOR THE DETENTION OF PERSONS UNDER ARREST BEING HELD FOR ARRAIGNMENT IN ANY COURT LOCATED IN THE COUNTY OF MONTGOMERY.

S 2. Section 500-c of the correction law is amended by adding a new subdivision 16 to read as follows:

16. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN THE COUNTY OF MONTGOMERY ALL THE PROVISIONS OF THIS SECTION SHALL EQUALLY APPLY IN ANY CASE WHERE THE SHERIFF IS HOLDING A PERSON UNDER ARREST FOR ARRAIGNMENT PRIOR TO COMMITMENT, AS IF SUCH PERSON HAD BEEN JUDICIALLY COMMITTED TO THE CUSTODY OF THE SHERIFF AND SUCH PERSON MAY BE HELD IN THE MONTGOMERY COUNTY CORRECTIONAL FACILITY.

S 3. This act shall take effect immediately; provided further, that the amendments to section 500-c of the correction law, as made by section two of this act, shall not affect the repeal of such section and shall be deemed repealed therewith.

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

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