

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

S. 1423

A. 4087

2009-2010 Regular Sessions

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

January 30, 2009

IN SENATE -- Introduced by Sen. VOLKER -- 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. AUBRY, BROOK-KRASNY -- Multi-Sponsored by -- M. of A. BRENNAN, COOK, MAGEE, PAULIN, PHEFFER, TOWNS -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to reimbursing localities for the cost of maintaining custody of state-ready prisoners

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

1 Section 1. Subdivision 2 of section 601-c of the correction law, as
2 amended by chapter 262 of the laws of 1987, is amended to read as
3 follows:
4 2. Notwithstanding the provisions of subdivision one of this section,
5 the expense of maintaining a person convicted of a felony whose sentence
6 has been pronounced and which requires that he be committed to the
7 custody of the commissioner, and who has not been accepted for custody
8 by the commissioner within five days of receipt of written notification
9 by the department from the appropriate local official that he is
10 prepared to transport such person to the facility designated by the
11 department, provided that there has been compliance with subdivision (a)
12 of section six hundred one of this article, shall be paid by the state
13 at the actual per day per capita cost, as certified by the appropriate
14 local official[, or thirty dollars per day per capita and, effective on
15 and after the first day of April, nineteen hundred eighty-eight, forty
16 dollars per day per capita, whichever is less] AND APPROVED BY THE STATE
17 DIRECTOR OF THE BUDGET, beginning with the first day of receipt of writ-
18 ten notification by the department. Nothing contained herein shall be
19 construed to affect, impair, modify, restrict, define or expand any
20 other provision of law with regard to any obligation to deliver or

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

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1 receive any such inmates by any state or local official or any require-
2 ment of timely compliance therewith.
3 S 2. This act shall take effect on the first of September next
4 succeeding the date on which it shall have become a law and shall apply
5 to costs incurred by cities and counties on and after such date.