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

8494

I N S E N A T E

September 24, 2010

Introduced by Sen. DIAZ -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the criminal procedure law and the correction law, in relation to making the cost of incarceration for non-violent felony offenders available to the public

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

Section 1. The criminal procedure law is amended by adding a new article 425 to read as follows:

ARTICLE 425--COST OF INCARCERATION FOR NON-VIOLENT FELONS MADE PUBLIC

SECTION 425.10 COST OF INCARCERATION FOR NON-VIOLENT FELONS MADE PUBLIC.

S 425.10 COST OF INCARCERATION FOR NON-VIOLENT FELONS MADE PUBLIC.

1. UPON IMPOSING A SENTENCE OF INCARCERATION FOR A CONVICTION OF A NON-VIOLENT FELONY OFFENSE, THE SENTENCING JUDGE SHALL MAKE SUCH COST AVAILABLE TO THE PUBLIC.

2. AT THE REQUEST OF THE SENTENCING JUDGE, AN ESTIMATE OF SUCH COST SHALL BE PROVIDED BY THE DEPARTMENT OF CORRECTIONAL SERVICES TO THE SENTENCING JUDGE PRIOR TO THE IMPOSITION OF SUCH SENTENCE.

3. FOR PURPOSES OF THIS SECTION, NON-VIOLENT FELONY OFFENSE SHALL MEAN AND INCLUDE ANY FELONY NOT DEFINED IN SUBDIVISION ONE OF SECTION 70.02 OF THE PENAL LAW.

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

S 601-E. COST OF INCARCERATION FOR NON-VIOLENT FELONY OFFENDERS. THE DEPARTMENT SHALL PROVIDE A SENTENCING COURT WITH AN ESTIMATE OF THE COST OF INCARCERATION FOR A NON-VIOLENT FELONY OFFENDER AT THE REQUEST OF A SENTENCING JUDGE.

S 3. This act shall take effect on the sixtieth day after it shall have become a law.

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

LBD18160-01-0