

10362

I N A S S E M B L Y

March 19, 2010

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 civil judgments or settlements awarded to inmates

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 620-a
2 to read as follows:
3 S 620-A. DISPOSITION OF CIVIL JUDGMENTS OR SETTLEMENTS. THE AMOUNT
4 OF ANY SETTLEMENT OR JUDGMENT REALIZED BY A PRISONER IN A STATE OR LOCAL
5 CORRECTION FACILITY AS A RESULT OF A CIVIL ACTION FOR DAMAGES SUFFERED
6 WHILE SUCH A PRISONER, LESS ANY DEDUCTIONS REQUIRED OR AUTHORIZED BY
7 LAW, SHALL BE DEPOSITED WITH THE DEPARTMENT IN A TRUST FUND ACCOUNT.
8 SUCH EARNINGS SHALL BE SUBJECT TO ATTACHMENT OR GARNISHMENT IN THE HANDS
9 OF THE DEPARTMENT. THE COMMISSIONER IS AUTHORIZED TO PROVIDE FOR
10 DISBURSEMENTS FROM THE TRUST FUND ACCOUNT FOR ANY OR ALL OF THE FOLLOW-
11 ING PURPOSES:
12 1. SUCH COSTS INCIDENT TO THE PRISONER'S CONFINEMENT AS THE COMMIS-
13 SIONER DEEMS APPROPRIATE AND REASONABLE;
14 2. SUCH COSTS RELATED TO ANY WORK RELEASE PROGRAM AS THE COMMISSIONER
15 DEEMS APPROPRIATE AND REASONABLE;
16 3. SUPPORT OF THE PRISONER'S DEPENDENTS; OR
17 4. PAYMENT OF COURT FINES, MANDATORY SURCHARGE, RESTITUTION OR REPARA-
18 TION, OR FORFEITURES.
19 THE BALANCE OF SUCH EARNINGS, IF ANY, AFTER DISBURSEMENTS FOR ANY OF
20 THE PURPOSES ESTABLISHED IN THIS SECTION SHALL BE PAID TO THE PRISONER
21 UPON TERMINATION OF HIS OR HER IMPRISONMENT.
22 S 2. This act shall take effect immediately.

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

LBD15867-01-0