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

5337

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. ERRIGO, GIGLIO, KOLB, McDONOUGH, TOBACCO, TOWNSEND, WALKER, FINCH -- Multi-Sponsored by -- M. of A. BARCLAY, CALHOUN, CROUCH, JORDAN, McKEVITT, THIELE -- read once and referred to the Committee on Children and Families

AN ACT to amend the family court act, in relation to periods of confinement to be served in a secure facility in the custody of the office of children and family services

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

Section 1. Subparagraph (ii) of paragraph (a) of subdivision 4 of section 353.5 of the family court act, as added by chapter 920 of the laws of 1982, is amended to read as follows:

(ii) the respondent shall initially be confined in a secure facility for a period set by the order, to be not less than [twelve] EIGHTEEN MONTHS nor more than [eighteen months] THREE YEARS provided, however, where the order of the court is made in compliance with subdivision five the respondent shall initially be confined in a secure facility for eighteen months.

S 2. Subparagraph (ii) of paragraph (a) of subdivision 5 of section 353.5 of the family court act, as added by chapter 920 of the laws of 1982, is amended to read as follows:

(ii) the respondent shall initially be confined in a secure facility for a period set by the order, to be not less than [six] TWELVE nor more than [twelve] TWENTY-FOUR months.

S 3. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

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