

6348

2009-2010 Regular Sessions

I N   A S S E M B L Y

March 2, 2009

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Introduced by M. of A. GORDON, LUPARDO -- Multi-Sponsored by -- M. of A. BROOK-KRASNY, BURLING, CROUCH, DUPREY, EDDINGTON, ERRIGO, GIGLIO, KOLB, MOLINARO, RAIA, ROBINSON, SALADINO, SCOZZAFAVA, TOWNSEND, WALKER, WEISENBERG -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to the closure of correctional facilities

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

1     Section 1. Subdivision 3 of section 79-a of the correction law, as  
2 amended by section 2 of part D of chapter 63 of the laws of 2005, is  
3 amended to read as follows:  
4     3. provide notice by certified mail to (i) all local governments of  
5 any political subdivision in which the correctional facility is located,  
6 (ii) all employee labor organizations operating within, or representing  
7 employees of, the correctional facility, and (iii) managerial and confi-  
8 dential employees employed within the correctional facility at least  
9 [twelve] TWENTY-FOUR months prior to any such closure.  
10     S 2. Section 79-b of the correction law, as amended by section 2 of  
11 part D of chapter 63 of the laws of 2005, is amended to read as follows:  
12     S 79-b. Adaptive reuse plan for consideration prior to prison closure.  
13 [Not later than six months prior to the effective date of closure of a  
14 correctional facility, the] THE commissioner shall, in consultation with  
15 the commissioners of economic development, civil service and the divi-  
16 sion of criminal justice services and the director of the governor's  
17 office of employee relations, provide AT THE TIME THE NOTICE OF CLOSURE  
18 OF A CORRECTIONAL FACILITY IS PROVIDED IN ACCORDANCE WITH SUBDIVISION  
19 THREE OF SECTION SEVENTY-NINE-A OF THIS ARTICLE, a report for an adap-  
20 tive reuse plan for any facility slated for closure which will evaluate  
21 the community impact of the proposed closure including but not limited  
22 to the following factors: the potential to utilize the property for

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

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1 another state government purpose, including for a new purpose as part of  
2 the state criminal justice system; potential for the sale or transfer of  
3 the property to a local government or other governmental entity; poten-  
4 tial for the sale of the property to a private entity for development  
5 into a business, residential or other purpose; community input for local  
6 development; and the condition of the facility and the investments  
7 required to keep the structure in good repair, or to make it viable for  
8 reuse.

9 S 3. This act shall take effect immediately and shall apply to any  
10 notice provided pursuant to subdivision 3 of section 79-a of the  
11 correction law, as amended by section one of this act, on or after Janu-  
12 ary 1, 2009.