

S. 1424

A. 4086

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 -- Multi-Sponsored by -- M. of A. GALEF, PAULIN -- read once and referred to the Committee on Correction

AN ACT to amend the executive law, in relation to reimbursing localities for the cost of maintaining custody of parole violators and certain other persons

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

1 Section 1. Subparagraph (ii) of paragraph (a) of subdivision 3 of
 2 section 259-i of the executive law, as amended by chapter 7 of the laws
 3 of 2007, is amended to read as follows:
 4 (ii) Whenever a presumptively released, paroled or conditionally
 5 released person or a person under post-release supervision or a prisoner
 6 received under the uniform act for out-of-state parolee supervision has,
 7 pursuant to this paragraph, or whenever a person confined during
 8 proceedings pursuant to article ten of the mental hygiene law has been
 9 placed in any county jail or penitentiary, or a city prison operated by
 10 a city having a population of one million or more inhabitants, for any
 11 period that such person is not detained pursuant to commitment based on
 12 an indictment, an information, a simplified information, a prosecutor's
 13 information, a misdemeanor complaint or a felony complaint, an arrest
 14 warrant or a bench warrant, or any order by a court of competent juris-
 15 diction, the state shall pay to the city or county operating such facil-
 16 ity the actual per day per capita cost as certified to the [state]
 17 commissioner of correctional services by the appropriate local official
 18 for the care of such person and as approved by the director of the budg-
 19 et. [The reimbursement rate shall not, however, exceed thirty dollars

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

LBD04421-01-9

1 per day per capita and forty dollars per day per capita on and after the
2 first day of April, nineteen hundred eighty-eight.]
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.