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I N S E N A T E

January 29, 2010

Introduced by Sens. MONTGOMERY, DUANE, HASSELL-THOMPSON, ONORATO, PARKER, SAVINO, SCHNEIDERMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the executive law, in relation to directing the office of children and family services to determine the amount to be reinvested in the juvenile justice smart investment program each year for the purpose of reducing the juvenile justice placements through program modifications and services

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

1 Section 1. Subdivision 16 of section 501 of the executive law, as
2 renumbered by chapter 170 of the laws of 1994, is renumbered subdivision
3 17 and a new subdivision 16 is added to read as follows:

4 16. (A) TO DETERMINE THE AMOUNT TO BE INVESTED THE JUVENILE JUSTICE
5 SMART INVESTMENT PROGRAM EACH YEAR IN ORDER TO INCLUDE IT IN THE EXECU-
6 TIVE BUDGET, AND TO RE-ESTIMATE THE AMOUNT, IF IT HAS CHANGED, NOT LATER
7 THAN THE FIRST DAY OF THE THIRD FULL MONTH NEXT FOLLOWING THE ADOPTION
8 OF THE BUDGET. THE JUVENILE JUSTICE SMART INVESTMENT PROGRAM AMOUNT
9 SHALL CONSIST OF PROJECTED SAVINGS FROM THE CLOSURE OR REDUCTION OF
10 CAPACITY OF SECURE, LIMITED SECURE, AND NON-SECURE FACILITIES OPERATED
11 AND MAINTAINED BY THE OFFICE OF CHILDREN AND FAMILY SERVICES; OR A
12 REDUCTION FOR ANY REASON IN THE PROJECTED COSTS OF JUVENILE JUSTICE
13 PLACEMENT. THE REPORTING OF THE JUVENILE JUSTICE SMART INVESTMENT
14 PROGRAM AMOUNT SHALL IDENTIFY AMOUNTS IN DETAIL BY CATEGORY AND SHALL
15 FURTHER PROVIDE DETAIL OF THE METHODOLOGY BY WHICH THE AMOUNTS WERE
16 CALCULATED. THE COMMISSIONER OF CHILDREN AND FAMILY SERVICES SHALL TRAN-
17 SMIT THE REPORT IN SUCH DETAIL AS IS REQUIRED IN THIS PARAGRAPH, AND
18 SUCH ADDITIONAL DETAIL AS MAY BE REQUIRED FOR AN UNDERSTANDING BY THE
19 PUBLIC AND OTHER INTERESTED PARTIES OF THE JUVENILE JUSTICE SMART
20 INVESTMENT PROGRAM, TO THE DIRECTOR OF THE BUDGET, WHO SHALL INCLUDE IT
21 IN THE BUDGET SUBMITTED TO THE LEGISLATURE PURSUANT TO SECTION
22 TWENTY-TWO OF THE STATE FINANCE LAW.

23 (B) AMOUNTS APPROPRIATED TO THE JUVENILE JUSTICE SMART INVESTMENT
24 PROGRAM PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION SHALL BE MADE

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

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1 AVAILABLE FOR THE PURPOSE OF REDUCING THE OFFICE OF CHILDREN AND FAMILY
2 SERVICES JUVENILE JUSTICE PLACEMENTS THROUGH PROGRAM MODIFICATIONS
3 AND/OR SERVICES INCLUDING, BUT NOT LIMITED TO DEMONSTRATED EFFECTIVE
4 PROGRAMS SUCH AS EVIDENCE-BASED INITIATIVES TO DIVERT YOUTH AT-RISK OF
5 JUVENILE JUSTICE PLACEMENT WITH THE OFFICE OF CHILDREN AND FAMILY
6 SERVICES AND/OR AS ALTERNATIVES TO RESIDENTIAL PLACEMENTS WITH SUCH
7 OFFICE.

8 (C) THE FIRST REPORT PURSUANT TO THIS SUBDIVISION SHALL BE DUE WITHIN
9 THREE MONTHS OF THE PASSAGE OF THE BUDGET IN THE YEAR IN WHICH THIS
10 SECTION SHALL HAVE BECOME A LAW.

11 S 2. This act shall take effect immediately.