

2388

2011-2012 Regular Sessions

I N   A S S E M B L Y

January 18, 2011

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Introduced by M. of A. GIBSON -- Multi-Sponsored by -- M. of A. CLARK --  
read once and referred to the Committee on Libraries and Education  
Technology

AN ACT to amend the executive law, in relation to requiring library  
collections in all youth centers or facilities for detention; and  
making an appropriation therefor

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

1     Section 1. The executive law is amended by adding a new section 513-a  
2     to read as follows:  
3     S 513-A. LIBRARIES. 1. NOTWITHSTANDING ANY PROVISION OF LAW TO THE  
4     CONTRARY, THE COMMISSIONER OF CHILDREN AND FAMILY SERVICES, IN CONSULTA-  
5     TION WITH THE BOARD OF REGENTS AND THE COMMISSIONER OF EDUCATION, SHALL  
6     ESTABLISH AND MAINTAIN LIBRARIES IN ALL YOUTH CENTERS OR FACILITIES FOR  
7     DETENTION AS DEFINED IN SECTIONS FIVE HUNDRED TWENTY-SEVEN-A AND FIVE  
8     HUNDRED TWO OF THIS ARTICLE, AND DETENTION FACILITIES DESIGNATED PURSU-  
9     ANT TO SECTIONS SEVEN HUNDRED TWENTY-FOUR AND 305.2 OF THE FAMILY COURT  
10    ACT. THE CONTENT OF SUCH HOLDINGS SHALL CONFORM TO THE FREE PUBLIC  
11    LIBRARY PROVISIONS OF PART TWO OF ARTICLE FIVE OF THE EDUCATION LAW.  
12    ACCESS TO LIBRARY BOOKS BY DETAINEES SHALL NOT BE INFRINGED BY SUCH  
13    TEMPORARY YOUTH DETENTION FACILITY RULES AND REGULATIONS REGARDING  
14    PUNISHMENT OF DETAINEES.  
15    2. DEVELOPING AND MAINTAINING LIBRARIES IN SUCH TEMPORARY YOUTH  
16    DETENTION FACILITIES AS PROVIDED IN SUBDIVISION ONE OF THIS SECTION  
17    SHALL BE CONSIDERED PART OF CARE, MAINTENANCE, AND SUPERVISION EXPENSES  
18    DESCRIBED AND INCLUDED IN THE REIMBURSEMENT FORMULAE PROVIDED IN SECTION  
19    FIVE HUNDRED THIRTY OF THIS ARTICLE.  
20    3. THE COMMISSIONER OF CHILDREN AND FAMILY SERVICES AND THE COMMIS-  
21    SIONER OF EDUCATION SHALL REPORT, INCLUDING RECOMMENDATIONS, TO THE  
22    GOVERNOR AND THE LEGISLATURE ON THE STATUS OF SUCH LIBRARIES IN SUCH  
23    COMMISSIONERS' ANNUAL REPORTS.

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

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1 S 2. The sum of two million dollars (\$2,000,000), or so much thereof  
2 as may be necessary, is hereby appropriated out of any moneys in the  
3 state treasury in the general fund to the credit of the office of chil-  
4 dren and family services, not otherwise appropriated for the purposes of  
5 carrying out the provisions of this act. Such sum shall be payable on  
6 the audit and warrant of the state comptroller on vouchers certified or  
7 approved by the commissioner of children and family services, or such  
8 commissioner's duly designated representative in the manner provided by  
9 law.

10 S 3. This act shall take effect on the one hundred eightieth day after  
11 it shall have become a law; provided, however, that effective immediate-  
12 ly, the addition, amendment and/or repeal of any rule or regulation  
13 necessary for the implementation of this act on its effective date is  
14 authorized and directed to be made and completed on or before such  
15 effective date; provided, further, that such libraries shall be in use  
16 on or before one year of the effective date of this act.