

2314

2013-2014 Regular Sessions

I N   A S S E M B L Y

January 14, 2013

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Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to parole violators

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

1     Section 1. The correction law is amended by adding a new section 23-a  
2 to read as follows:

3     S 23-A. TRANSFER OF PAROLE VIOLATORS. 1. IF ANY PERSON PRESUMPTIVELY  
4 RELEASED, PAROLED, CONDITIONALLY RELEASED, RELEASED TO POST-RELEASE  
5 SUPERVISION, OR RECEIVED UNDER THE UNIFORM ACT FOR OUT-OF-STATE PAROLEE  
6 SUPERVISION SHALL HAVE BEEN ARRESTED FOR VIOLATING ONE OR MORE CONDI-  
7 TIONS OF HIS OR HER PRESUMPTIVE RELEASE, PAROLE, CONDITIONAL RELEASE OR  
8 POST-RELEASE SUPERVISION, SUCH PERSON, AFTER TEN BUSINESS DAYS IN ANY  
9 LOCAL CORRECTIONAL FACILITY, SHALL EITHER BE:

10     A. TRANSFERRED TO A STATE CORRECTIONAL FACILITY, WITH THE COSTS AND  
11 RESPONSIBILITIES ASSOCIATED WITH SUCH TRANSFER BORNE BY THE DEPARTMENT  
12 PURSUANT TO SECTION SIX HUNDRED TWO OF THIS CHAPTER; OR

13     B. KEPT IN SUCH LOCAL CORRECTIONAL FACILITY, WITH THE COUNTY'S COSTS  
14 OF SUCH TEMPORARY DETAINMENT REIMBURSED BY THE DEPARTMENT WHERE SUCH  
15 PERSON HAS BEEN CONVICTED OF A PAROLE VIOLATION AND A SENTENCE HAS BEEN  
16 PRONOUNCED WHICH REQUIRES THAT HE OR SHE BE COMMITTED TO THE CUSTODY OF  
17 THE COMMISSIONER.

18     2. THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION SHALL NOT APPLY  
19 IN ANY CITY HAVING A POPULATION OF ONE MILLION OR MORE INHABITANTS, OR  
20 IF THE APPROPRIATE COURT GRANTS AN EXTENSION AUTHORIZING THE DETAINEE TO  
21 REMAIN IN THE LOCAL CORRECTIONAL FACILITY FOR UP TO TWENTY DAYS PER  
22 EXTENSION.

23     S 2. This act shall take effect on the one hundred twentieth day after  
24 it shall have become a law. Effective immediately, the addition, amend-  
25 ment and/or repeal of any rule or regulation necessary for the implemen-  
26 tation of this act on its effective date is authorized to be made on or  
27 before such date.

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

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