S T A T E O F N E W Y O R K

1672--A

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sens. GRISANTI, MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the state finance law, in relation to providing funds for the public defense backup center of the New York State Defenders Association; and to amend section 3 of part W of chapter 55 of the laws of 2012 amending the state finance law relating to support for the public defense backup center, in relation to making such provisions permanent

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

Section 1. Paragraph (a) of subdivision 2 and paragraph (d) of subdivision 3 of section 98-b of the state finance law, paragraph (a) of subdivision 2 as amended by section 1 of part W of chapter 55 of the laws of 2012 and paragraph (d) of subdivision 3 as added by section 2 of part E of chapter 56 of the laws of 2010, are amended to read as follows:

(a) The purpose of such fund shall be to (i) assist counties and, in the case of a county wholly contained within a city, such city, in providing legal representation for persons who are financially unable to afford counsel pursuant to article eighteen-B of the county law; (ii) assist the state, in improving the quality of public defense services and funding representation provided by assigned counsel paid in accordance with section thirty-five of the judiciary law; (iii) provide support for the operations, duties, responsibilities and expenses of the office of indigent legal services and the indigent legal services board established, respectively, pursuant to sections eight hundred thirty-two and eight hundred thirty-three of the executive law; and (iv) provide

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

LBD04694-03-3

[support] for SERVICES AND EXPENSES OF the public defense backup center OF THE NEW YORK STATE DEFENDERS ASSOCIATION.

(d) BEGINNING IN STATE FISCAL YEAR TWO THOUSAND FOURTEEN AN ANNUAL AMOUNT OF THREE MILLION DOLLARS SHALL BE MADE AVAILABLE TO THE NEW YORK STATE DEFENDERS ASSOCIATION FROM SUCH FUND FOR THE SERVICES AND EXPENSES OF ITS PUBLIC DEFENSE BACKUP CENTER.

(E) Remaining amounts within such fund, after accounting for annual payments required in paragraphs (a), (b) [and], (c) AND (D) of this subdivision and subparagraph (iii) of paragraph (a) of subdivision two of this section shall be distributed in accordance with sections eight hundred thirty-two and eight hundred thirty-three of the executive law.

S 2. Section 3 of part W of chapter 55 of the laws of 2012, amending the state finance law relating to support for the public defense backup center is amended to read as follows:

S 3. This act shall take effect April 1, 2012 [and shall expire March 31, 2013 when upon such date the provisions of this act shall be deemed repealed].

S 3. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after March 31, 2013.