

4416

2013-2014 Regular Sessions

I N A S S E M B L Y

February 5, 2013

Introduced by M. of A. LENTOL -- read once and referred to the Committee
on Ways and Means

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

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

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

7 (a) The purpose of such fund shall be to (i) assist counties and, in
8 the case of a county wholly contained within a city, such city, in
9 providing legal representation for persons who are financially unable to
10 afford counsel pursuant to article eighteen-B of the county law; (ii)
11 assist the state, in improving the quality of public defense services
12 and funding representation provided by assigned counsel paid in accord-
13 ance with section thirty-five of the judiciary law; (iii) provide
14 support for the operations, duties, responsibilities and expenses of the
15 office of indigent legal services and the indigent legal services board
16 established, respectively, pursuant to sections eight hundred thirty-two
17 and eight hundred thirty-three of the executive law; (IV) PROVIDE FOR
18 SERVICES AND EXPENSES OF THE PUBLIC DEFENSE BACKUP CENTER OF THE NEW
19 YORK STATE DEFENDERS ASSOCIATION and [(iv)] (V) provide support for the
20 public defense backup center.

21 (d) AN ANNUAL AMOUNT OF THREE MILLION DOLLARS SHALL BE MADE AVAILABLE
22 TO THE NEW YORK STATE DEFENDERS ASSOCIATION FROM SUCH FUND FOR THE
23 SERVICES AND EXPENSES OF ITS PUBLIC DEFENSE BACKUP CENTER.

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

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

6 S 2. Paragraph (a) of subdivision 2 of section 98-b of the state
7 finance law, as amended by section 2 of part E of chapter 56 of the laws
8 of 2010, is amended to read as follows:

9 (a) The purpose of such fund shall be to (i) assist counties and, in
10 the case of a county wholly contained within a city, such city, in
11 providing legal representation for persons who are financially unable to
12 afford counsel pursuant to article eighteen-B of the county law; (ii)
13 assist the state, in improving the quality of public defense services
14 and funding representation provided by assigned counsel paid in accord-
15 ance with section thirty-five of the judiciary law; [and] (iii) provide
16 support for the operations, duties, responsibilities and expenses of the
17 office of indigent legal services and the indigent legal services board
18 established, respectively, pursuant to sections eight hundred thirty-two
19 and eight hundred thirty-three of the executive law; AND (IV) PROVIDE
20 FOR SERVICES AND EXPENSES OF THE PUBLIC DEFENSE BACKUP CENTER OF THE NEW
21 YORK STATE DEFENDERS ASSOCIATION.

22 S 3. This act shall take effect April 1, 2013; provided however that
23 the amendments to paragraph (a) of subdivision 2 of section 98-b of the
24 state finance law made by section one of this act shall be subject to
25 the expiration and reversion of such paragraph pursuant to section 4 of
26 part E of chapter 56 of the laws of 2010, as amended, when upon such
27 date section two of this act shall take effect.