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

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 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; (IV) PROVIDE FOR SERVICES AND EXPENSES OF THE PUBLIC DEFENSE BACKUP CENTER OF THE NEW YORK STATE DEFENDERS ASSOCIATION and [(iv)] (V) provide support for the public defense backup center.

(d) 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.

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

LBD04694-01-3

(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. Paragraph (a) of subdivision 2 of section 98-b of the state finance law, as amended by section 2 of part E of chapter 56 of the laws of 2010, is 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; [and] (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 FOR SERVICES AND EXPENSES OF THE PUBLIC DEFENSE BACKUP CENTER OF THE NEW YORK STATE DEFENDERS ASSOCIATION.

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