

1762

2015-2016 Regular Sessions

I N A S S E M B L Y

January 12, 2015

Introduced by M. of A. TEDISCO, STEC, DiPIETRO, PALMESANO, WALTER, McLAUGHLIN, GIGLIO, BARCLAY, MONTESANO, CROUCH, GRAF, RAIA, LOPEZ, NOJAY -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to requiring legislative approval for the closure of correctional facilities and institutions

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 30 to  
2 read as follows:

3 S 30. CLOSURE OF CORRECTIONAL FACILITIES. THE DEPARTMENT SHALL SUBMIT  
4 A WRITTEN REPORT TO THE LEGISLATURE AT LEAST THREE HUNDRED SIXTY-FIVE  
5 DAYS PRIOR TO THE DATE THE DEPARTMENT IS SEEKING CLOSURE OF ANY CORREC-  
6 TIONAL FACILITY OR INSTITUTION. SUCH REPORT SHALL INCLUDE JUSTIFICATION  
7 FOR THE PROPOSED CLOSURE. THE LEGISLATURE MAY REQUIRE ANY ADDITIONAL  
8 INFORMATION OR DATA THAT IT DEEMS NECESSARY IN SUCH REPORT. IF THE  
9 LEGISLATURE, OR THE APPROPRIATE COMMITTEES THEREOF, UPON REVIEW OF THE  
10 REPORT SUBMITTED TO IT BY THE DEPARTMENT, FINDS THAT THE PROPOSED  
11 CLOSURE IS NOT JUSTIFIED THEN CLOSURE SHALL NOT OCCUR UNTIL APPROVED BY  
12 A MAJORITY VOTE OF EACH HOUSE OF THE LEGISLATURE.

13 S 2. Severability. If any clause, sentence, paragraph, section or part  
14 of this act shall be adjudged by any court of competent jurisdiction to  
15 be invalid, such judgment shall not affect, impair or invalidate the  
16 remainder thereof, but shall be confined in its operation to the clause,  
17 sentence, paragraph, section or part thereof directly involved in the  
18 controversy in which such judgment shall have been rendered.

19 S 3. This act shall take effect on the thirtieth day after it shall  
20 have become a law. Effective immediately, the addition, amendment and/or  
21 repeal of any rule or regulation necessary for the implementation of  
22 this act on its effective date are authorized to be made and completed  
23 on or before such effective date.

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

LBD02489-01-5