STATE OF NEW YORK

10403

IN ASSEMBLY

April 19, 2018

Introduced by M. of A. FAHY, McDONALD -- read once and referred to the Committee on Codes

AN ACT to amend the civil practice law and rules and the state finance law, in relation to the disposal of property upon a judgment or order of forfeiture

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subparagraph (i) of paragraph (h) of subdivision 2 of section 1349 of the civil practice law and rules, as added by chapter 655 of the laws of 1990, is amended to read as follows:

(i) seventy-five percent of such moneys shall be deposited to a law enforcement purposes subaccount of the general fund of the state where the claiming agent is an agency of the state or the political subdivision or public authority of which the claiming agent is a part, to be used for law enforcement use in the investigation of penal law offenses **or law enforcement assisted diversion**;

§ 2. Subdivision 3 of section 97-w of the state finance law, as amended by chapter 398 of the laws of 2004, is amended to read as follows:

3. Moneys of the fund, when allocated, shall be available to the commissioner of the office of alcoholism and substance abuse services and shall be used to provide support for **(a)** funded agencies approved by the New York state office of alcoholism and substance abuse services, [~~and~~] **(b)** local school-based and community programs which provide chemical dependence prevention and education services**, and (c) law enforcement assisted diversion of individuals with substance use disorders**. Consideration shall be given to innovative approaches to providing chemical dependence services.

§ 3. This act shall take effect immediately.

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

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