STATE OF NEW YORK

10756

IN ASSEMBLY

May 16, 2018

Introduced by M. of A. STECK, McDONALD, FAHY -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law and the county law, in relation to authorizing the dormitory authority to construct and finance regional juvenile detention facilities; and to designate certain non-profit corporations as the agency of county government responsible for the administration of county juvenile detention programs

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

Section 1. Paragraph (b) of subdivision 2 of section 1676 of the public authorities law is amended by adding a new undesignated paragraph to read as follows:

A corporation which is incorporated under the not-for-profit corporation law of this state formed pursuant to an inter-municipal agreement among two or more counties within this state to assist the forming counties in acquiring, financing, constructing, reconstructing, remodeling, enlarging, altering, repairing, operating, managing, leasing, selling or otherwise disposing of a regional juvenile detention facility.

§ 2. Subdivision 1 of section 1680 of the public authorities law is amended by adding a new undesignated paragraph to read as follows:

A corporation which is incorporated under the not-for-profit corporation law of this state formed pursuant to an inter-municipal agreement among two or more counties within this state to assist the forming counties in acquiring, financing, constructing, reconstructing, remodeling, enlarging, altering, repairing, operating, managing, leasing, selling or otherwise disposing of a regional juvenile detention facility.

§ 3. Subdivision 2 of section 1680 of the public authorities law is amended by adding a new paragraph l to read as follows:

1. (1) For purposes of this section, the following provisions shall apply to the powers in connection with the provision of regional detention facilities certified by the office of children and family services or by such office in conjunction with the state commission of correction or for the provision of residential facilities licensed by

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

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the office of children and family services including all necessary and usual attendant and related facilities and equipment.

(2) Notwithstanding any other provision of law, any entity as listed above shall have full power and authority to enter into such agreements with the dormitory authority as are necessary to finance and/or construct detention or residential facilities described above, including without limitation, the provision of fees and amounts necessary to pay debt service on any obligations issued by the dormitory authority for same, and to assign and pledge to the dormitory authority, any and all public funds to be apportioned or otherwise made payable by the United States, any agency thereof, the state, any agency thereof, a political subdivision, as defined in section one hundred of the general municipal law, any social services district in the state or any other governmental entity in an amount sufficient to make all payments required to be made by any such entity as listed above pursuant to any lease, sublease or other agreement entered into between any such entity as listed above and the dormitory authority. All state and local officers are hereby authorized and required to pay all such funds so assigned and pledged to the dormitory authority or, upon the direction of the dormitory authority, to any trustee of any dormitory authority bond or note issued, pursuant to a certificate filed with any such state or local officer by the dormitory authority pursuant to the provisions of this section.

§ 4. The opening paragraph of subdivision a of section 218-a of the county law, as amended by chapter 465 of the laws of 1992, is amended to read as follows:

To assure that suitable and conveniently accessible accommodations and proper and adequate detention in secure and non-secure detention facilities, as defined in section five hundred two of the executive law and the regulations of the division for youth, will be available when required for the temporary care, maintenance and security of alleged and convicted juvenile offenders, alleged and adjudicated juvenile delinquents and alleged and adjudicated persons in need of supervision. Such regulations shall not require any county to provide temporary care in a secure detention facility for residents of any other county except upon a space available basis. The county executive, if there be one, otherwise the board of supervisors shall designate the agency of county government, or a not-for-profit corporation formed pursuant to an inter-municipal agreement among two or more counties, responsible for the administration of the county juvenile detention program and shall so advise the New York state division for youth, and may make provisions therefor as follows:

§ 5. This act shall take effect immediately.