STATE OF NEW YORK

10756--A

IN ASSEMBLY

May 16, 2018

Introduced by M. of A. STECK, McDONALD, FAHY, WOERNER -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to authorizing the dormitory authority to construct and finance regional juvenile detention facilities

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:

Any not-for-profit corporation formed pursuant to an inter-municipal agreement among two or more counties within this state to assist said counties in acquiring, financing, constructing, reconstructing, remodeling, enlarging, altering, repairing, operating, managing, leasing, selling or otherwise disposing of a joint county detention facility established in accordance with section two hundred eighteen-a of the county law.

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

Any not-for-profit corporation formed pursuant to an inter-municipal agreement among two or more counties within this state to assist said counties in acquiring, financing, constructing, reconstructing, remodeling, enlarging, altering, repairing, operating, managing, leasing, selling or otherwise disposing of a joint county detention facility established in accordance with section two hundred eighteen-a of the county law.

§ 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 detention facilities certified by the office of children and family services or by such office in conjunction with the state commission of correction, including

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

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any joint county detention facility established in accordance with section two hundred eighteen-a of the county law, or for the provision of residential facilities licensed by 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, the office of children and family services, the division of the budget, any county and any entity as listed above shall have full power and authority to enter into such agreements with the dormitory authority as are necessary or useful to finance and/or construct detention or residential facilities described above, including without limitation, such agreements that may provide for or warrant the uninterrupted 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, pledge agreement or other agreement entered into between any such entity as listed above, any county and the dormitory authority; any such agreement shall not constitute indebtness for purposes of the state constitution or section 20.00 of the local finance law, and shall not be deemed either executory or to create any contractual obligation in excess of the amounts appropriated annually for such purpose. 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. This act shall take effect immediately.