STATE OF NEW YORK

1272--A

Cal. No. 374

2017-2018 Regular Sessions

IN ASSEMBLY

January 11, 2017

Introduced by M. of A. ROZIC, AUBRY, BARRETT, BLAKE, DAVILA, FAHY, JAFFEE, MOSLEY, MOYA, PERRY, TITONE, ROSENTHAL, SEPULVEDA, SIMON, GJONAJ, WEPRIN -- Multi-Sponsored by -- M. of A. ARROYO, MAGEE -- read once and referred to the Committee on Correction -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the correction law, in relation to requiring the department of corrections and community supervision to place incarcerated parents at correctional institutions and facilities closest to their children's home

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

Section 1. The correction law is amended by adding a new section 72-c to read as follows:

§ 72-c. Placement of individuals with children. 1. In determining placement for a person in custody of the department, whenever practicable the commissioner shall place such person in the correctional institution or facility which is located in closest proximity to the primary place of residence of such person's minor child or children as defined in subdivision thirty-one of section two of the social services law, provided that such placement is suitable and appropriate and would facilitate increased contact between such person and his or her child or children and is in the best interest of such child or children.

2. To make a determination about whether such placement is in the best interest of such child or children, procedures and criteria for assessing such placement shall be developed by the department in consultation with the office of probation and correctional alternatives and the office of children and family services. If such person has more than one child, the department shall make a separate determination for each individual child.

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

LBD00426-02-7

§ 2. This act shall take effect one year after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made on or before such date.