STATE OF NEW YORK

4271

2017-2018 Regular Sessions

IN SENATE

February 7, 2017

Introduced by Sen. TEDISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

AN ACT to amend the correction law, in relation to reimbursement of inmate expenses of imprisonment

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 601-e to read as follows:

§ 601-e. Reimbursement for costs of imprisonment. 1. Notwithstanding any provision of law to the contrary, the expense of maintaining inmates imprisoned in a correctional facility operated by the department shall be upon the inmates according to the schedule set forth in subdivision two of this section.

2. (a) The following schedule shall be used to determine the percentage of the expense of maintaining an inmate required to be paid by such inmate:

(i) an inmate with total assets of two hundred thousand dollars or more, one hundred percent of such expense;

(ii) an inmate with total assets of one hundred sixty thousand dollars or more but less than two hundred thousand dollars, eighty percent of such expense;

(iii) an inmate with total assets of one hundred twenty thousand dollars or more but less than one hundred sixty thousand dollars, sixty percent of such expense;

(iv) an inmate with total assets of eighty thousand dollars or more but less than one hundred twenty thousand dollars, forty percent of such expense;

(v) an inmate with total assets of forty thousand dollars or more but less than eighty thousand dollars, twenty percent of such expense; and

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

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(vi) an inmate with total assets of less than forty thousand dollars, zero percent of such expense.

(b) For purposes of this subdivision, the term "total assets" shall not include the value of the inmate's home or any equity in such home.

3. The commissioner is hereby authorized and directed to promulgate rules and regulations necessary for the implementation of this section.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized to be made and completed on or before such date.