

# STATE OF NEW YORK

8808--A

## IN SENATE

May 21, 2018

Introduced by Sen. TEDISCO -- read twice and ordered printed, and when printed to be committed 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:

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

4 Any not-for-profit corporation formed pursuant to an inter-municipal  
5 agreement among two or more counties within this state to assist said  
6 counties in acquiring, financing, constructing, reconstructing, remodel-  
7 ing, enlarging, altering, repairing, operating, managing, leasing, sell-  
8 ing or otherwise disposing of a joint county detention facility estab-  
9 lished in accordance with section two hundred eighteen-a of the county  
10 law.

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

13 Any not-for-profit corporation formed pursuant to an inter-municipal  
14 agreement among two or more counties within this state to assist said  
15 counties in acquiring, financing, constructing, reconstructing, remodel-  
16 ing, enlarging, altering, repairing, operating, managing, leasing, sell-  
17 ing or otherwise disposing of a joint county detention facility estab-  
18 lished in accordance with section two hundred eighteen-a of the county  
19 law.

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

22 1. (1) For purposes of this section, the following provisions shall  
23 apply to the powers in connection with the provision of detention facil-  
24 ities certified by the office of children and family services or by such  
25 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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1 any joint county detention facility established in accordance with  
2 section two hundred eighteen-a of the county law, or for the provision  
3 of residential facilities licensed by the office of children and family  
4 services including all necessary and usual attendant and related facili-  
5 ties and equipment.

6 (2) Notwithstanding any other provision of law, the office of children  
7 and family services, the division of the budget, any county and any  
8 entity as listed above shall have full power and authority to enter into  
9 such agreements with the dormitory authority as are necessary or useful  
10 to finance and/or construct detention or residential facilities  
11 described above, including without limitation, such agreements that may  
12 provide for or warrant the uninterrupted provision of fees and amounts  
13 necessary to pay debt service on any obligations issued by the dormitory  
14 authority for same, and to assign and pledge to the dormitory authority,  
15 any and all public funds to be apportioned or otherwise made payable by  
16 the United States, any agency thereof, the state, any agency thereof, a  
17 political subdivision, as defined in section one hundred of the general  
18 municipal law, any social services district in the state or any other  
19 governmental entity in an amount sufficient to make all payments  
20 required to be made by any such entity as listed above pursuant to any  
21 lease, sublease, pledge agreement or other agreement entered into  
22 between any such entity as listed above, any county and the dormitory  
23 authority; any such agreement shall not constitute indebtedness for  
24 purposes of the state constitution or section 20.00 of the local finance  
25 law, and shall not be deemed either executory or to create any contrac-  
26 tual obligation in excess of the amounts appropriated annually for such  
27 purpose. All state and local officers are hereby authorized and required  
28 to pay all such funds so assigned and pledged to the dormitory authority  
29 or, upon the direction of the dormitory authority, to any trustee of any  
30 dormitory authority bond or note issued, pursuant to a certificate filed  
31 with any such state or local officer by the dormitory authority pursuant  
32 to the provisions of this section.

33 § 4. This act shall take effect immediately.