STATE OF NEW YORK

6267--A

2019-2020 Regular Sessions

IN SENATE

May 31, 2019

Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to authorizing Greene county to enter into an agreement with a contiguous county to share the construction, financing, improvement, maintenance and/or housing of persons in the custody of the sheriff of a county jail

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

Section 1. (a) Notwithstanding any inconsistent provision of law, Greene county may enter into an agreement with a contiguous county to share the construction, financing, improvement, maintenance and/or housing of persons in the custody of the sheriff of a county jail. Any such shared county jail shall be physically located in Greene county or such contiguous county. Any agreement made pursuant to this section shall be in accordance with the provisions of article 5-G of the general municipal law. For the purposes of this section, the term "contiguous county" shall, with respect to counties, mean and include "contiguous" as described (with respect to towns and villages) in subdivision 4 of section 750 of the general municipal law.

(b) A shared county jail established pursuant to this section shall be considered the county jail of Greene county and such contiguous county for the purposes of any relevant provision of law and be considered a local correctional facility, as such term is defined in subdivision 16 of section 2 of the correction law, for all purposes.

(c) For purposes of subdivision 2 of section 70.20 of the penal law and any other relevant provision of the criminal procedure law and any other law, such shared county jail shall be considered to be located in Greene county and such contiguous county and be considered the county jail of the county for all courts located in Greene county and such

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

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contiguous county. Further, a person taken into custody pursuant to paragraph (b) of subdivision 3 of section 259-i of the executive law may be incarcerated in such shared county jail for an arrest occurring in Greene county or such contiguous county and, if a local revocation hearing is to be held pursuant to paragraph (e) of such subdivision 3, the location of such shared county jail shall be considered in determining whether such facility is reasonably near the place of the alleged violation or arrest.

§ 2. This act shall take effect immediately.