STATE OF NEW YORK

7647

2019-2020 Regular Sessions

IN ASSEMBLY

May 14, 2019

Introduced by M. of A. WEPRIN -- (at request of the Office of Court Administration) -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to the detention of individuals in a county jail pending a first court appearance in an off-hours arraignment part

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

Section 1. Section 500-a of the correction law is amended by adding a new subdivision 2-t to read as follows:

2-t. Notwithstanding any other provision of law, where the chief administrator of the courts establishes an off-hours arraignment part in a county in accordance with paragraph (w) of subdivision one of section two hundred twelve of the judiciary law, the county correctional facility may be used for the detention of persons under arrest being held for arraignment in such part.

§ 2. Section 500-c of the correction law is amended by adding a new subdivision 26 to read as follows:

26. Notwithstanding any other provision of law, where the chief administrator of the courts establishes an off-hours arraignment part in a county in accordance with paragraph (w) of subdivision one of section two hundred twelve of the judiciary law, all the provisions of this section shall equally apply in any case where the sheriff is holding a person under arrest for arraignment prior to commitment, as if such person had been judicially committed to the custody of the sheriff and such person may be held in such county correctional facility.

§ 3. This act shall take effect immediately; provided however, that the amendments to section 500-c of the correction law made by section two of this act shall not affect the repeal of such section and shall be deemed to repeal therewith.

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

LBD09688-01-9