

STATE OF NEW YORK

7163

IN SENATE

January 10, 2020

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

1 Section 1. Subdivision 2-t of section 500-a of the correction law, as
2 added by a chapter of the laws of 2019, amending the correction law in
3 relation to the detention of individuals in a county jail pending a
4 first court appearance in an off-hours arraignment part, as proposed in
5 legislative bills numbers S. 5593 and A. 7647, is amended to read as
6 follows:

7 2-t. Notwithstanding any other provision of law, where the chief
8 administrator of the courts establishes an off-hours arraignment part in
9 a county in accordance with paragraph (w) of subdivision one of section
10 two hundred twelve of the judiciary law, the county correctional facili-
11 ty may be used for the detention of persons who are eighteen years of
12 age or older under arrest being held for arraignment in such part.

13 § 2. Subdivision 26 of section 500-c of the correction law, as added
14 by a chapter of the laws of 2019, amending the correction law in
15 relation to the detention of individuals in a county jail pending a
16 first court appearance in an off-hours arraignment part, as proposed in
17 legislative bills numbers S. 5593 and A. 7647, is amended to read as
18 follows:

19 26. Notwithstanding any other provision of law, where the chief admin-
20 istrator of the courts establishes an off-hours arraignment part in a
21 county in accordance with paragraph (w) of subdivision one of section
22 two hundred twelve of the judiciary law, all the provisions of this
23 section shall equally apply in any case where the sheriff is holding a
24 person who is eighteen years of age or older and under arrest for
25 arraignment prior to commitment, as if such person had been judicially
26 committed to the custody of the sheriff and such person may be held in
27 such county correctional facility.

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

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1 § 3. This act shall take effect on the same date and in the same
2 manner as a chapter of the laws of 2019, amending the correction law in
3 relation to the detention of individuals in a county jail pending a
4 first court appearance in an off-hours arraignment part, as proposed in
5 legislative bills numbers S. 5593 and A. 7647, takes effect; provided
6 however, that the amendments to section 500-c of the correction law made
7 by section two of this act shall not affect the repeal of such section
8 and shall be deemed to repeal therewith.