

STATE OF NEW YORK

3511

2021-2022 Regular Sessions

IN SENATE

January 29, 2021

Introduced by Sens. BAILEY, BRESLIN, MYRIE, SALAZAR, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

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:

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

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

17 (c) For purposes of subdivision 2 of section 70.20 of the penal law
18 and any other relevant provision of the criminal procedure law and any
19 other law, such shared county jail shall be considered to be located in
20 Greene county and such contiguous county and be considered the county
21 jail of the county for all courts located in Greene county and such
22 contiguous county. Further, a person taken into custody pursuant to

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

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1 paragraph (b) of subdivision 3 of section 259-i of the executive law may
2 be incarcerated in such shared county jail for an arrest occurring in
3 Greene county or such contiguous county and, if a local revocation hear-
4 ing is to be held pursuant to paragraph (e) of such subdivision 3, the
5 location of such shared county jail shall be considered in determining
6 whether such facility is reasonably near the place of the alleged
7 violation or arrest.

8 § 2. This act shall take effect immediately.