§ 246. State aid for probation services. 1. The program of state aid to county probation services shall be administered by the division of criminal justice services with the advice of the state probation commission and the director of the office of probation and correctional alternatives. Funds appropriated to the division for distribution as state aid to county probation services and to the probation services of New York city shall be distributed by the division in accordance with rules and regulations adopted by the commissioner of the division of criminal justice services after consultation with the state probation commission and the director of the office of probation and correctional alternatives.

2. State aid shall be granted to the city of New York and the respective counties outside the city of New York for expenditures to be incurred by the county or city in maintaining and improving local probation services subject to amounts appropriated for this purpose. State aid grants shall not be used for expenditures for capital additions or improvements, or for debt service costs for capital improvements.

State aid shall be granted by the commissioner of the division of criminal justice services after consultation with the state probation commission and the director of the office of probation and correctional alternatives, provided the respective counties or the city of New York conform to standards relating to the administration of probation services as adopted by the commissioner of the division of criminal justice services after consultation with the state probation commission and the director of the office of probation and correctional alternatives.

3. Applications from counties or the city of New York for state aid under this section shall be made by filing with the division of criminal justice services, a detailed plan, including cost estimates covering probation services for the fiscal year or portion thereof for which aid is requested. Included in such estimates shall be clerical costs and maintenance and operation costs as well as salaries of probation personnel and such other pertinent information as the commissioner of

the division of criminal justice services may require. Items for which state aid is requested under this section shall be duly designated in the estimates submitted. The commissioner of the division of criminal justice services, after consultation with the state probation commission and the director of the office of probation and correctional alternatives, shall approve such plan if it conforms to standards relating to the administration of probation services as specified in the rules adopted by him or her.

4. An approved plan and compliance with standards relating to the administration of probation services promulgated by the commissioner of the division of criminal justice services shall be a prerequisite to eligibility for state aid.

* The commissioner of the division of criminal justice services may take into consideration granting additional state aid from an appropriation made for state aid for county probation services for counties or the city of New York when a county or the city of New York demonstrates that additional probation services were dedicated to intensive supervision programs and intensive programs for sex offenders. The commissioner shall grant additional state aid from an appropriation dedicated to juvenile risk intervention services coordination by probation departments which shall include, but not be limited to, probation services performed under article three of the family court act. The administration of such additional grants shall be made according to rules and regulations promulgated by the commissioner of the division of criminal justice services. Each county and the city of New York shall certify the total amount collected pursuant to section two hundred fifty-seven-c of this chapter. The commissioner of the division of criminal justice services shall thereupon certify to the comptroller for payment by the state out of funds appropriated for that purpose, the amount to which the county or the city of New York shall be entitled under this section. The commissioner shall, subject to an appropriation made available for such purpose, establish and provide funding to probation departments for a continuum of evidence-based intervention services for youth alleged or adjudicated juvenile delinquents pursuant to article three of the family court act or for eligible youth before or sentenced under the youth part in accordance

with the criminal procedure law. Such additional state aid shall be made in an amount necessary to pay one hundred percent of the expenditures for evidence-based practices and juvenile risk and evidence-based intervention services provided to youth sixteen years of age or older when such services would not otherwise have been provided absent the provisions of a chapter of the laws of two thousand seventeen that increased the age of juvenile jurisdiction.

* NB Effective until September 1, 2027

* The commissioner of the division of criminal justice services may take into consideration granting additional state aid from an appropriation made for state aid for county probation services for counties or the city of New York when a county or the city of New York demonstrates that additional probation services were dedicated to intensive supervision programs and intensive programs for sex offenders. The commissioner shall grant additional state aid from an appropriation dedicated to juvenile risk intervention services coordination by probation departments which shall include, but not be limited to, probation services performed under article three of the family court act. The administration of such additional grants shall be made according to rules and regulations promulgated by the commissioner of the division of criminal justice services. Each county and the city of New York shall certify the total amount collected pursuant to section two hundred fifty-seven-c of this chapter. The commissioner of the division of criminal justice services shall thereupon certify to the comptroller for payment by the state out of funds appropriated for that purpose, the amount to which the county or the city of New York shall be entitled under this section. The commissioner shall, subject to an appropriation made available for such purpose, establish and provide funding to probation departments for a continuum of evidence-based intervention services for youth alleged or adjudicated juvenile delinquents pursuant to article three of the family court act or for eligible youth before or sentenced under the youth part in accordance with the criminal procedure law.

* NB Effective September 1, 2027

* 5. Any county or city that does not have an approved plan pursuant to section two hundred forty-three-a of this chapter may establish and implement expedited procedures for the probation service to determine

that a child is the subject of a petition under article seven of the family court act or at risk of being the subject of such a petition, and for a social services official to determine eligibility for mandated preventive services pursuant to paragraph (a) of subdivision one of section four hundred nine-a of the social services law for a child who is the subject of a petition pursuant to article seven of the family court act, or is determined by an assessment unit to be at risk of being the subject of a petition, and is determined by a social services official to be at risk of placement into foster care.

* NB Effective until June 30, 2027

* 5. Any county or city that does not have an approved plan pursuant to section two hundred forty-three-a of this chapter may establish and implement expedited procedures for the probation service to determine that a child is the subject of a petition under article seven of the family court act or at risk of being the subject of such a petition, and for a social services official to determine eligibility for mandated preventive services pursuant to paragraph (a) of subdivision one of section four hundred nine-a of the social services law for a child who is the subject of a petition pursuant to article seven of the family court act, or is determined by an assessment unit to be at risk of being the subject of a petition, and is determined by a social services official according to standards promulgated pursuant to section three hundred ninety-eight-b of the social services law to be at risk of placement into foster care.

* NB Effective June 30, 2027

6. The director, after consultation with the state probation commission, may authorize or require the comptroller to withhold the payment of state aid to any county, or the city of New York, in the event that such county, or the city of New York, (a) fails to conform to standards of probation administration as formulated by the director pursuant to this section, (b) discontinues or fails to follow an approved plan, or (c) fails to enforce in a satisfactory manner rules promulgated pursuant to this section, or laws now in effect or hereafter adopted which relate in any manner to the administration of probation services.