A BUDGET BILL submitted by the Governor
in accordance with Article VII of the Constitution

AN ACT to amend the executive law, in relation to the creation of
a validated risk assessment instrument

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

Section 1. Paragraph (d) of subdivision 2 of section 530 of the execu-
tive law, as added by section 4 of subpart B of part Q of chapter 58 of
the laws of 2011, is amended to read as follows:

(d) (i) Notwithstanding any provision of law or regulation to the
contrary, any information or data necessary for the development,
completion, validation or revalidation of the detention risk assessment
instrument shall be shared between local probation departments, the
division of criminal justice services and, where authorized by the divi-
sion, any entity under contract with the division to provide information
technology services, the office, and any entity under contract with the
office to provide services relating to the development, completion,
validation or revalidation of the detention risk assessment instrument.

(ii) Data collected for the purposes of completing the detention risk
assessment instrument from any source other than an officially doc-
umented record shall be confirmed as soon as practicable. Should any data
originally utilized in completing the risk assessment instrument be
found to conflict with the officially documented record, the risk
assessment instrument shall be completed with the officially documented
data and any corresponding revision to the risk categorization shall be
made. The office shall periodically revalidate any approved risk assess-
ment instrument. The office shall conspicuously post any approved
detention risk assessment instrument on its website and shall confer with appropriate stakeholders, including but not limited to, attorneys for children, presentment agencies, probation, and the family court, prior to revising any validated risk assessment instrument. Any such revised risk assessment instrument shall be subject to periodic empirical validation.

§ 2. This act shall take effect immediately.