

Amend Senate S.6406, Assembly A.9006, AN ACT to amend the education law, in relation to contracts for excellence and the apportionment of public moneys; to amend the education law...

Page	Line	Amendment
Page 2,	Unnumbered line 25 (AN ACT CLAUSE),	After "to amend" strike out "the education law,"
Page 2,	Unnumbered line 27 (AN ACT CLAUSE),	After "program," insert "in relation to the effectiveness thereof; to amend part V of"
Page 2,	Unnumbered line 30 (AN ACT CLAUSE),	After "program," strike out "and" and insert "in relation to the effectiveness thereof; to amend"
Page 2,	Unnumbered line 32 (AN ACT CLAUSE),	After "professions," insert "and to amend the education law,"
Page 3,	Unnumbered line 6 (AN ACT CLAUSE),	Before "to utilize" strike out "and"
Page 3,	Unnumbered line 7 (AN ACT CLAUSE),	After "(Part P)" insert "; and to amend part D of chapter 58 of the laws of 2011 amending the education law relating to capital facilities in support of the state university and community colleges, procurement, and the state university health care facilities, in relation to the effectiveness thereof (Part Q)"
Page 3,	Line 4,	After "through" strike out "P" and insert "Q"
Page 20,	Lines 39 and 40,	After " <u>paid to the</u> " strike out " <u>character</u> " and insert " <u>charter</u> "
Page 22,	Lines 31 and 32,	After " <u>paid to the</u> " strike out " <u>character</u> " and insert " <u>charter</u> "
Page 26,	Line 14,	Before "be construed" strike out "should" and insert "shall"
Page 37,	Line 41,	After " <u>interior</u> ," strike out " <u>schools</u> " and insert " <u>school</u> "
Page 37,	Line 56,	After " <u>minimum</u> " insert ","
Page 87,	Line 3,	<p>Before "S.722.10 Youth part of superior court established" insert <u>"5. The probation service shall not transmit or otherwise communicate to the district attorney or the youth part any statement made by the juvenile offender to a probation officer. However, the probation service may make a recommendation regarding the completion of his or her case plan to the youth part and provide such information as it shall deem relevant.</u></p> <p>6. No statement made to the probation service</p>

		<u>during the risk and needs assessment or while the juvenile offender is following his or her case plan may be admitted into evidence at a fact-finding hearing at any time prior to a conviction."</u>
Page 89,	Between lines 4 and 5,	Insert " <u>5. Notwithstanding the provisions of subdivision two, three, or four, if a currently undetermined felony complaint against a juvenile offender is pending in the youth part, and the defendant has not waived a hearing pursuant to subdivision two of this section and a hearing pursuant to subdivision three has not commenced, the defendant may move in the youth part, to remove the action to family court. The procedural rules of subdivisions one and two of section 210.45 of this chapter are applicable to a motion pursuant to this subdivision. Upon such motion, the superior court shall proceed and determine the motion as provided in section 210.43 of this chapter; provided, however, that the exception provisions of paragraph (b) of subdivision one of such section 210.43 shall not apply when there is not reasonable cause to believe that the juvenile offender committed one or more of the crimes enumerated therein, and in such event the provisions of paragraph (a) thereof shall apply.</u> "
Page 104,	Between lines 47 and 48,	Insert " <u>§ 40-a. Subdivision 5 of section 70.00 of the penal law, as amended by chapter 482 of the laws of 2009, is amended to read as follows:</u> 5. Life imprisonment without parole. Notwithstanding any other provision of law, a defendant sentenced to life imprisonment without parole shall not be or become eligible for parole or conditional release. For purposes of commitment and custody, other than parole and conditional release, such sentence shall be deemed to be an indeterminate sentence. A defendant may be sentenced to life imprisonment without parole upon conviction for the crime of murder in the first degree as defined in section 125.27 of this chapter and in accordance with the procedures provided by law for imposing a sentence for such crime. A defendant <u>who was eighteen years of age or older at the time of the commission of the crime</u> must be sentenced to life imprisonment without parole upon conviction for the crime of terrorism as defined in section 490.25 of this chapter, where the specified offense the defendant committed is a class A-I felony; the crime of criminal possession of a chemical weapon or biological weapon in the first degree as defined in section 490.45 of this chapter; or the crime of criminal use of a chemical weapon or biological weapon in the first degree as defined in section 490.55 of this chapter; provided, however, that nothing in this subdivision shall preclude or prevent a sentence of death when the defendant is also

		convicted of the crime of murder in the first degree as defined in section 125.27 of this chapter. <u>A defendant who was seventeen years of age or younger at the time of the commission of the crime may be sentenced to life imprisonment without parole upon conviction for a crime of terrorism as defined in section 490.25 of this chapter, where the specified offense is a class A-I felony; the crime of criminal possession of a chemical weapon or biological weapon in the first degree as defined in section 490.45 of this chapter; or the crime of criminal use of a chemical weapon or biological weapon in the first degree as defined in section 490.55 of this chapter.</u> A defendant must be sentenced to life imprisonment without parole upon conviction for the crime of murder in the second degree as defined in subdivision five of section 125.25 of this chapter or for the crime of aggravated murder as defined in subdivision one of section 125.26 of this chapter. A defendant may be sentenced to life imprisonment without parole upon conviction for the crime of aggravated murder as defined in subdivision two of section 125.26 of this chapter."
Page 105,	Line 31,	After " <u>offense,</u> " insert " <u>or was fourteen or fifteen at the time of such offense and the sentence is for an offense specified in subdivision three of section 125.25 of this chapter,</u> "
Page 105,	Line 33,	Before " <u>where the defendant was</u> " insert " <u>except as specified in paragraph a, of this subdivision</u> "
Page 105,	Line 43,	Before "For a class B felony," insert " <u>Except as provided for in subparagraph (ii) of this paragraph,</u> "
Page 105,	Line 43,	After "felony," strike out " <u>other than a class B violent felony as defined by section 70.02 of this article,</u> "
Page 105,	Line 48,	After " <u>article,</u> " insert " <u>where the defendant was sixteen years old, and commencing January first, two thousand nineteen, where the defendant was sixteen or seventeen years old at the time of such offense,</u> "
Page 105,	Line 49,	After " <u>exceed</u> " strike out " <u>twenty-five</u> " and insert " <u>twenty</u> "
Page 105,	Line 55,	After " <u>years;</u> " insert " <u>(iii) For a class B violent felony as defined by section 70.02 of this article, where the defendant was fourteen or fifteen years old at the time of such offense the determinate term shall be fixed by the court, and shall be at least one year but shall not exceed seven years;</u> "

Page 106,	Between lines 28 and 29,	Insert " <u>4. A sentence imposed for a misdemeanor or violation committed by a juvenile offender shall be in accordance with section 70.15 of this chapter.</u> "
Page 109,	Line 49,	After " <u>four years</u> " insert " <u>whenever a determinate sentence of imprisonment is imposed upon a conviction of a class B violent felony offense where the defendant was sixteen, and commencing January first, two thousand nineteen, seventeen years old at the time of the offense</u> "
Page 118,	Line 50,	After " <u>least</u> " strike out " <u>twelve</u> " and insert " <u>sixteen</u> "
Page 118,	Line 51,	After " <u>nineteen,</u> " insert " <u>at least sixteen but</u> "
Page 151,	Line 3,	After "effect on the" strike out "sixtieth" and insert "one hundred and eightieth"
Page 151,	Line 7,	After "forty-nine," strike out "fifty,"
Page 157,	Between lines 10 and 11,	Insert Part Q (LBD #72024-01-6)
Page 157,	Line 22,	After "through" strike out "P" and insert "Q"