

STATE OF NEW YORK

5584

2023-2024 Regular Sessions

IN SENATE

March 8, 2023

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

AN ACT to amend the correction law, in relation to providing an incarcerated individual time for mental health services

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

1 Section 1. Subdivision 4 of section 140 of the correction law, as
2 amended by chapter 322 of the laws of 2021, is amended to read as
3 follows:

4 4. Nothing in this section shall preclude an incarcerated individual
5 from consenting on his or her own behalf to any medical, dental or
6 mental health service and treatment where otherwise authorized by law to
7 do so. Any incarcerated individual who is receiving mental health
8 services or participating in a program established pursuant to section
9 four hundred one of this chapter shall not have the time spent partic-
10 ipating in such mental health services or programs deducted from any
11 other activity time such incarcerated individual receives. Activity time
12 shall include but not be limited to the time allowed for: exercise,
13 meals, visits, educational programs and any other activity or program
14 time an incarcerated individual receives.

15 § 2. Subdivision 4 of section 505 of the correction law, as amended by
16 chapter 322 of the laws of 2021, is amended to read as follows:

17 4. Nothing in this section shall preclude an incarcerated individual
18 from consenting on his or her own behalf to any medical, dental or
19 mental health services and treatment where otherwise authorized by law
20 to do so. Any incarcerated individual who is receiving mental health
21 services or participating in a program established pursuant to section
22 four hundred one of this chapter shall not have the time spent partic-
23 ipating in such mental health services or programs deducted from any
24 other activity time such incarcerated individual receives. Activity time

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

LBD03815-01-3

1 shall include but not be limited to the time allowed for: exercise,
2 meals, visits, educational programs and any other activity or program
3 time an incarcerated individual receives.

4 § 3. This act shall take effect immediately.