

STATE OF NEW YORK

7648

2025-2026 Regular Sessions

IN ASSEMBLY

April 4, 2025

Introduced by M. of A. STERN -- read once and referred to the Committee on Correction

AN ACT to amend the executive law, in relation to extending the time for reconsideration of parole for violent felony offenders

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

1 Section 1. Subparagraph (i) of paragraph (a) of subdivision 2 of
2 section 259-i of the executive law, as amended by section 14 of chapter
3 486 of the laws of 2022, is amended to read as follows:
4 (i) Except as provided in subparagraph (ii) of this paragraph, at
5 least one month prior to the date on which an incarcerated individual
6 may be paroled pursuant to subdivision one of section 70.40 of the penal
7 law, a member or members as determined by the rules of the board shall
8 personally interview such incarcerated individual and determine whether
9 ~~[he or she]~~ such individual should be paroled in accordance with the
10 guidelines adopted pursuant to subdivision four of section two hundred
11 fifty-nine-c of this article. If parole is not granted upon such review,
12 the incarcerated individual shall be informed in writing within two
13 weeks of such appearance of the factors and reasons for such denial of
14 parole. Such reasons shall be given in detail and not in conclusory
15 terms. The board shall specify a date for reconsideration which is
16 either twenty-four or forty-eight months from such determination for
17 violent felony offenders, or not more than twenty-four months from such
18 determination for ~~[reconsideration]~~ all other offenders, and the proce-
19 dures to be followed upon reconsideration shall be the same. If the
20 incarcerated individual is released, ~~[he or she]~~ such individual shall
21 be given a copy of the conditions of parole. Such conditions shall where
22 appropriate, include a requirement that the parolee comply with any
23 restitution order, mandatory surcharge, sex offender registration fee
24 and DNA databank fee previously imposed by a court of competent juris-
25 diction that applies to the parolee. The conditions shall indicate which

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

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1 restitution collection agency established under subdivision eight of
2 section 420.10 of the criminal procedure law, shall be responsible for
3 collection of restitution, mandatory surcharge, sex offender registra-
4 tion fees and DNA databank fees as provided for in section 60.35 of the
5 penal law and section eighteen hundred nine of the vehicle and traffic
6 law. If the incarcerated individual is released, ~~[he or she]~~ such indi-
7 vidual shall also be notified in writing that ~~[his or her]~~ their voting
8 rights will be restored upon release.

9 § 2. Paragraph (a) of subdivision 2 of section 259-i of the executive
10 law, as amended by section 15 of chapter 486 of the laws of 2022, is
11 amended to read as follows:

12 (a) At least one month prior to the expiration of the minimum period
13 or periods of imprisonment fixed by the court or board, a member or
14 members as determined by the rules of the board shall personally inter-
15 view an incarcerated individual serving an indeterminate sentence and
16 determine whether ~~[he or she]~~ such individual should be paroled at the
17 expiration of the minimum period or periods in accordance with the
18 procedures adopted pursuant to subdivision four of section two hundred
19 fifty-nine-c of this article. If parole is not granted upon such review,
20 the incarcerated individual shall be informed in writing within two
21 weeks of such appearance of the factors and reasons for such denial of
22 parole. Such reasons shall be given in detail and not in conclusory
23 terms. The board shall specify a date for reconsideration which is
24 either twenty-four or forty-eight months from such determination for
25 violent felony offenders, or not more than twenty-four months from such
26 determination for ~~[reconsideration]~~ all other offenders, and the proce-
27 dures to be followed upon reconsideration shall be the same. If the
28 incarcerated individual is released, ~~[he or she]~~ they shall be given a
29 copy of the conditions of parole. Such conditions shall where appropri-
30 ate, include a requirement that the parolee comply with any restitution
31 order and mandatory surcharge previously imposed by a court of competent
32 jurisdiction that applies to the parolee. The conditions shall indicate
33 which restitution collection agency established under subdivision eight
34 of section 420.10 of the criminal procedure law, shall be responsible
35 for collection of restitution and mandatory surcharge as provided for in
36 section 60.35 of the penal law and section eighteen hundred nine of the
37 vehicle and traffic law. If the incarcerated individual is released, ~~[he~~
38 ~~or she]~~ they shall also be notified in writing that ~~[his or her]~~ their
39 voting rights will be restored upon release.

40 § 3. This act shall take effect on the sixtieth day after it shall
41 have become a law; provided that the amendments to subparagraph (i) of
42 paragraph (a) of subdivision 2 of section 259-i of the executive law
43 made by section one of this act shall be subject to the expiration and
44 reversion of such paragraph when upon such date the provisions of
45 section two of this act shall take effect.