STATE OF NEW YORK

764

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the correction law, in relation to the commissioner of corrections and community supervision's heat mitigation plan for correctional facilities

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

Section 1. Subdivision 6 of section 112 of the correction law, as added by a chapter of the laws of 2024 amending the correction law relating to establishing an annual heat mitigation plan; and directing the extreme heat action plan work group of the department of environmental conservation to analyze the impact of extreme heat on incarcerated individuals and people working in prisons, as proposed in legislative bills numbers S. 7781-A and A. 9169-A, is amended to read as follows:

6. (a) The commissioner shall promulgate rules and regulations to establish and maintain an annual heat mitigation plan to ensure incarcerated individuals and correctional facility staff have options available to stay cool, hydrated and safe during high heat temperatures. Such plan shall include, to the extent possible:

(i) access to industrial fans, water, ice, and additional access to showers;

(ii) commissaries fully stocked with personal fans prior to the beginning of summer;

(iii) monitoring temperatures in housing, program and industry areas;

(iv) maintaining a list of incarcerated individuals and correctional facility staff [~~with~~] **who have** medical conditions that make them more susceptible to heat and monitor their well-being;

(v) increased rounds and wellness checks; and

(vi) providing shade on exercise yards **if consistent with the facility's safety and security protocols**.

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

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(b) The commissioner, as part of such heat mitigation plan, shall [~~develop a timeline to establish~~] **evaluate the financial and operational feasibility of establishing** cooling stations [~~and provide evaporative fans to~~] **and a permanent sustainable cooling solution at** each facility**, provided that upon a determination or finding that a permanent sustainable cooling solution is feasible in each facility, the commissioner shall develop a timeline to implement the findings of such evaluation**.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2024 amending the correction law relating to establishing an annual heat mitigation plan; and directing the extreme heat action plan work group of the department of environmental conservation to analyze the impact of extreme heat on incarcerated individuals and people working in prisons, as proposed in legislative bills numbers S. 7781-A and A. 9169-A, takes effect.