S T A T E O F N E W Y O R K

10711

I N A S S E M B L Y

April 16, 2010

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

AN ACT to amend the correction law, in relation to banning tobacco products from correctional facilities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 26 of the correction law, as amended by chapter 487 of the laws of 1994, is amended to read as follows:

S 26. Establishment of commissaries or canteens in correctional institutions. The commissioner may authorize the head of any institution in the department to establish a commissary or a canteen in such institution for the use and benefit of inmates. The moneys received by the head of the institution as profits from the sales of the commissary or canteen shall be deposited in a special fund to be known as the commissary or canteen fund and such funds shall be used for the general purposes of the institution subject to the provisions of section fifty-three of the state finance law. TOBACCO PRODUCTS SHALL NOT BE SOLD OR DISTRIBUTED FROM ANY COMMISSARY OR CANTEEN IN SUCH INSTITUTIONS. THE COMMISSIONER SHALL AMEND RULE 113.9 OF SECTION 270.2 OF THE NEW YORK CODES, RULES AND REGULATIONS TO PROHIBIT THE POSSESSION OF ANY TOBACCO PRODUCTS BY AN INMATE.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

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