

1293--A

Cal. No. 344

2009-2010 Regular Sessions

I N S E N A T E

January 28, 2009

Introduced by Sens. MONTGOMERY, ONORATO -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the correction law, in relation to human immunodeficiency virus (HIV) prevention

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

1 Section 1. The correction law is amended by adding a new section 75 to
2 read as follows:
3 S 75. HUMAN IMMUNODEFICIENCY VIRUS (HIV) PREVENTION. UPON DISCHARGE
4 OF AN INMATE FROM A CORRECTIONAL FACILITY, THE DEPARTMENT SHALL PROVIDE
5 SUCH INMATE WITH EDUCATIONAL INFORMATION ABOUT THE PREVENTION OF HUMAN
6 IMMUNODEFICIENCY VIRUS (HIV) INFECTION, INSTRUCTIONS ABOUT HOW TO OBTAIN
7 FREE HIV TESTING UPON RELEASE, INCLUDING CONTACT INFORMATION FOR HIV
8 COUNSELING AND TESTING SERVICE PROVIDERS LOCATED IN THE COUNTY OR CITY
9 IN WHICH SUCH INMATE INTENDS TO RESIDE UPON RELEASE, AND REFERRALS TO
10 COMMUNITY-BASED HIV PREVENTION, EDUCATION AND COUNSELING RESOURCES
11 LOCATED IN THE COUNTY OR CITY IN WHICH SUCH INMATE INTENDS TO RESIDE
12 UPON RELEASE.
13 S 2. The correction law is amended by adding a new section 510 to read
14 as follows:
15 S 510. HUMAN IMMUNODEFICIENCY VIRUS (HIV) PREVENTION. UPON DISCHARGE
16 OF AN INMATE FROM A LOCAL CORRECTIONAL FACILITY, WHERE SUCH INMATE'S
17 SENTENCE OF IMPRISONMENT IS THIRTY DAYS OR MORE NOT INCLUDING A SENTENCE
18 OF INTERMITTENT IMPRISONMENT IMPOSED PURSUANT TO ARTICLE EIGHTY-FIVE OF
19 THE PENAL LAW, THE CHIEF ADMINISTRATIVE OFFICER OF SUCH LOCAL CORREC-
20 TIONAL FACILITY, OR HIS OR HER DESIGNEE, SHALL PROVIDE SUCH INMATE WITH
21 EDUCATIONAL INFORMATION ABOUT THE PREVENTION OF HUMAN IMMUNODEFICIENCY

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

LBD01491-03-9

1 VIRUS (HIV) INFECTION, INSTRUCTIONS ABOUT HOW TO OBTAIN FREE HIV TESTING
2 UPON RELEASE, INCLUDING CONTACT INFORMATION FOR LOCAL HIV COUNSELING AND
3 TESTING SERVICE PROVIDERS, AND REFERRALS TO COMMUNITY-BASED HIV
4 PREVENTION, EDUCATION AND COUNSELING RESOURCES.

5 S 3. This act shall take effect on the sixtieth day after it shall
6 have become a law.