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

2072--A

2009-2010 Regular Sessions

I N S E N A T E

February 11, 2009

Introduced by Sens. HUNTLEY, ADAMS, KRUEGER, PARKER, SAMPSON, SAVINO, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the correction law, in relation to persons who are authorized to visit correctional facilities

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

Section 1. Subdivision 1 of section 146 of the correction law, as amended by section 3 of part E of chapter 56 of the laws of 2005, is amended to read as follows:

1. The following persons shall be authorized to visit at pleasure all correctional facilities: The governor and lieutenant-governor, commissioner of general services, secretary of state, comptroller and attorney-general, members of the commission of correction, members of the legislature, judges of the court of appeals, supreme court and county judges, district attorneys and every CLERGYMAN OR minister [of the gospel], AS SUCH TERMS ARE DEFINED IN SECTION TWO OF THE RELIGIOUS CORPORATIONS LAW, having charge of a congregation in the [town] COUNTY wherein any such facility is situated. No other person not otherwise authorized by law shall be permitted to enter a correctional facility except by authority of the commissioner of correction under such regulations as the commissioner shall prescribe. The provisions of this section shall not apply to such portion of a correctional facility in which inmates under sentence of death are confined.

S 2. Section 500-j of the correction law, as amended by chapter 508 of the laws of 1991, is amended to read as follows:

S 500-j. Who may visit [jails and workhouses] LOCAL CORRECTIONAL FACILITIES. The following persons may visit at pleasure all [county jails and workhouses] LOCAL CORRECTIONAL FACILITIES: The governor and

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

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lieutenant-governor, secretary of state, comptroller and attorney-general, members of the legislature, judges of the court of appeals, justices of the supreme court and county judges, district attorneys and every CLERGYMAN OR minister [of the gospel], AS SUCH TERMS ARE DEFINED IN SECTION TWO OF THE RELIGIOUS CORPORATIONS LAW, having charge of a congregation in the [town] COUNTY in which such [jail or workhouse] FACILITY is located. No other person not otherwise authorized by law shall be permitted to enter the rooms of a [county jail or workhouse] LOCAL CORRECTIONAL FACILITY in which convicts are confined, unless under such regulations as the sheriff of the county, or in counties within the city of New York, the commissioner of correction of such city, or in the county of Westchester, the commissioner of correction of such county shall prescribe.

S 3. This act shall take effect immediately.