

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

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

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:

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

4 1. The following persons shall be authorized to visit at pleasure all  
5 correctional facilities: The governor and lieutenant-governor, commis-  
6 sioner of general services, secretary of state, comptroller and attor-  
7 ney-general, members of the commission of correction, members of the  
8 legislature, judges of the court of appeals, supreme court and county  
9 judges, district attorneys and every minister of the gospel having  
10 charge of a congregation in the [town] COUNTY wherein any such facility  
11 is situated. No other person not otherwise authorized by law shall be  
12 permitted to enter a correctional facility except by authority of the  
13 commissioner of correction under such regulations as the commissioner  
14 shall prescribe. The provisions of this section shall not apply to such  
15 portion of a correctional facility in which inmates under sentence of  
16 death are confined.

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

19 S 500-j. Who may visit jails and workhouses. The following persons may  
20 visit at pleasure all county jails and workhouses: The governor and  
21 lieutenant-governor, secretary of state, comptroller and attorney-gener-  
22 al, members of the legislature, judges of the court of appeals, justices  
23 of the supreme court and county judges, district attorneys and every  
24 minister of the gospel having charge of a congregation in the [town]

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

1 COUNTY in which such jail or workhouse is located. No other person not  
2 otherwise authorized by law shall be permitted to enter the rooms of a  
3 county jail or workhouse in which convicts are confined, unless under  
4 such regulations as the sheriff of the county, or in counties within the  
5 city of New York, the commissioner of correction of such city, or in the  
6 county of Westchester, the commissioner of correction of such county  
7 shall prescribe.

8 S 3. This act shall take effect immediately.