

606--A

Cal. No. 71

2009-2010 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 7, 2009

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Introduced by M. of A. DESTITO -- read once and referred to the Committee on Correction -- passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

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 CLERGYMAN OR minister [of the  
10    gospel], AS SUCH TERMS ARE DEFINED IN SECTION TWO OF THE RELIGIOUS  
11    CORPORATIONS LAW, having charge of a congregation in the [town] COUNTY  
12    wherein any such facility is situated. No other person not otherwise  
13    authorized by law shall be permitted to enter a correctional facility  
14    except by authority of the commissioner of correction under such regu-  
15    lations as the commissioner shall prescribe. The provisions of this  
16    section shall not apply to such portion of a correctional facility in  
17    which inmates under sentence of death are confined.  
18    S 2. Section 500-j of the correction law, as amended by chapter 508 of  
19    the laws of 1991, is amended to read as follows:  
20    S 500-j. Who may visit [jails and workhouses] LOCAL CORRECTIONAL  
21    FACILITIES. The following persons may visit at pleasure all [county  
22    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.

1 lieutenant-governor, secretary of state, comptroller and attorney-gener-  
2 al, members of the legislature, judges of the court of appeals, justices  
3 of the supreme court and county judges, district attorneys and every  
4 CLERGYMAN OR minister [of the gospel], AS SUCH TERMS ARE DEFINED IN  
5 SECTION TWO OF THE RELIGIOUS CORPORATIONS LAW, having charge of a  
6 congregation in the [town] COUNTY in which such [jail or workhouse]  
7 FACILITY is located. No other person not otherwise authorized by law  
8 shall be permitted to enter the rooms of a [county jail or workhouse]  
9 LOCAL CORRECTIONAL FACILITY in which convicts are confined, unless under  
10 such regulations as the sheriff of the county, or in counties within the  
11 city of New York, the commissioner of correction of such city, or in the  
12 county of Westchester, the commissioner of correction of such county  
13 shall prescribe.  
14 S 3. This act shall take effect immediately.