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

5417

2011-2012 Regular Sessions

I N  A S S E M B L Y

February 18, 2011

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

AN ACT to amend the correction law, in relation to directing the state commission of correction to promulgate rules and regulations to permit and provide accommodation for inmate consultations with religious leaders

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

Section 1. Section 45 of the correction law is amended by adding a new subdivision 9 to read as follows:

9. PROMULGATE RULES AND REGULATIONS TO ASSURE THAT EACH INMATE IN A CORRECTIONAL FACILITY IS PERMITTED, AND REASONABLE ACCOMMODATIONS ARE MADE TO FACILITATE, CONSULTATION WITH SUCH INMATE'S RELIGIOUS ADVISOR ONCE PER WEEK ON A DAY WHICH IS DESIGNATED BY SUCH INMATE'S RELIGION AS A DAY OF WORSHIP AND ON RELIGIOUS HOLIDAYS OR FESTIVALS CELEBRATED BY SUCH INMATE'S RELIGION, INCLUDING, BUT NOT LIMITED TO, CHRISTMAS, YOM KIPPUR, ROSH HASHANAH, ASH WEDNESDAY, HOLY THURSDAY, GOOD FRIDAY, ASCENSION THURSDAY, THE FEAST OF THE ASSUMPTION, THE FEAST OF ALL SAINTS, THE FEAST OF THE IMMACULATE CONCEPTION, THE FIRST TWO DAYS OF THE SUCCOTH, SHEMINI ATZARETH, SIMCHAS TORAH, SHEVUOTH, PURIM, ORTHODOX HOLY THURSDAY, ORTHODOX GOOD FRIDAY, FIRST TWO AND LAST TWO DAYS OF PASSOVER, THE MUSLIM HOLIDAYS OF EID UL-FITR AND EID UL-ADHA, ASIAN LUNAR NEW YEAR AND THE HINDU FESTIVAL OF DIWALI ON THE DAY THAT LAKSHMI PUJA IS OBSERVED. REASONABLE ACCOMMODATIONS SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, PROVIDING FOR THE INMATE'S CONSULTATION WITH A RELIGIOUS ADVISOR OF THE INMATE'S CHOOSING AT TIMES OUTSIDE OF THE USUAL HOURS DESIGNATED BY THE CORRECTIONAL FACILITY FOR VISITATION WITH THE INMATES, SO LONG AS SUCH ACCOMMODATION DOES NOT CONSTITUTE A THREAT TO THE SAFETY, SECURITY OR GOOD ORDER OF THE CORRECTIONAL FACILITY OR THE HEALTH OF ANY INDIVIDUAL.

S 2. This act shall take effect immediately.

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

LBD08516-01-1