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

4929

2013-2014 Regular Sessions

I N S E N A T E

May 1, 2013

Introduced by Sen. NOZZOLIO -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

AN ACT to amend the correction law, in relation to persons 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 chapter 291 of the laws of 2009, 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 AND ANY EMPLOYEE OF THE DEPARTMENT AS REQUESTED BY THE MEMBER OF THE LEGISLATURE IF THE MEMBER REQUESTS TO BE SO ACCOMPANIED, PROVIDED THAT SUCH REQUEST DOES NOT IMPACT UPON THE DEPARTMENT'S ABILITY TO SUPERVISE, MANAGE AND CONTROL ITS FACILITIES AS DETERMINED BY THE COMMISSIONER, judges of the court of appeals, supreme court and county judges, district attorneys and every clergyman or minister, as such terms are defined in section two of the religious corporations law, having charge of a congregation in the 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. This act shall take effect immediately.

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

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