

6396

2015-2016 Regular Sessions

I N   A S S E M B L Y

March 23, 2015

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

AN ACT to amend the executive law, in relation to the composition of the  
state board of parole

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

1     Section 1. Subdivision 1 of section 259-b of the executive law, as  
2     amended by section 38-a of subpart A of part C of chapter 62 of the laws  
3     of 2011, is amended to read as follows:  
4     1. There shall be in the department a state board of parole [which]  
5     THAT shall possess the powers and duties hereinafter specified. The  
6     board shall function independently of the department regarding all of  
7     its decision-making functions, as well as any other powers and duties  
8     specified in this article, provided, however, that administrative  
9     matters of general applicability within the department shall be applica-  
10    ble to the board. Such board shall consist of not more than nineteen  
11    members AND NOT LESS THAN FIFTEEN MEMBERS appointed by the governor with  
12    the advice and consent of the senate AND IN CONSULTATION WITH THE  
13    CORRECTIONAL ASSOCIATION OF NEW YORK. IN MAKING APPOINTMENTS TO THE  
14    BOARD, THE GOVERNOR SHALL ENSURE THAT THE MEMBERSHIP SHALL ADEQUATELY  
15    REFLECT THE COMPOSITION OF THE PRISON POPULATION IN RACE AND ETHNICITY,  
16    AGE, AND GEOGRAPHIC AREA OF RESIDENCE. THE PERCENTAGE OF EACH DEMOGRAPH-  
17    IC CHARACTERISTIC OF THE MEMBERS SHALL BE DIRECTLY PROPORTIONATE TO THAT  
18    OF THE PRISON POPULATION. ADDITIONALLY, AT LEAST ONE-THIRD OF THE  
19    MEMBERS SHALL HAVE BEEN PREVIOUSLY EMPLOYED IN THE FIELDS OF PRISONER  
20    REENTRY OR SOCIAL WORK, EACH WITH A MINIMUM OF FIVE YEARS OF EXPERIENCE  
21    IN THEIR RESPECTIVE FIELDS. The term of office of each member of such  
22    board shall be for six years; provided, however, that any member chosen  
23    to fill a vacancy occurring otherwise than by expiration of term shall  
24    be appointed, IN THE MANNER SPECIFIED ABOVE, for the remainder of the  
25    unexpired term of the member whom he OR SHE is to succeed. In the event

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

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1 of the inability to act of any member, the governor may appoint some  
2 competent informed person to act in his OR HER stead during the contin-  
3 uance of such disability.

4 S 2. The state board of parole as constituted on the effective date of  
5 this section is hereby abolished as of January 1, 2016. Members of the  
6 state board of parole as constituted pursuant to the provisions of  
7 subdivision 1 of section 259-b of the executive law, as amended by  
8 section one of this act, shall be appointed by the appropriate state  
9 official prior to January 1, 2016, so that such board may be fully oper-  
10 ative on and after such date.

11 S 3. This act shall take effect immediately.