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

9805--A

I N A S S E M B L Y

April 11, 2016

Introduced by M. of A. RICHARDSON -- read once and referred to the Committee on Correction -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the correction law and the executive law, in relation to certificates upon discharge

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

Section 1. Subdivision 2 of section 205 of the correction law, as added by section 32 of subpart A of part C of chapter 62 of the laws of 2011, is amended to read as follows:

2. (A) A merit termination granted by the department under this section shall constitute a termination of the sentence with respect to which it was granted. No such merit termination shall be granted unless the department is satisfied that termination of sentence from presumptive release, parole, conditional release or post-release supervision is in the best interest of society, and that the parolee or releasee, otherwise financially able to comply with an order of restitution and the payment of any mandatory surcharge previously imposed by a court of competent jurisdiction, has made a good faith effort to comply therewith.

(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PERSON GRANTED MERIT TERMINATION PURSUANT TO THIS SECTION SHALL BE PROVIDED A CERTIFICATE OF RELIEF FROM DISABILITIES PURSUANT TO SECTION SEVEN HUNDRED THREE OF THIS CHAPTER OR A CERTIFICATE OF GOOD CONDUCT UNDER SECTION SEVEN HUNDRED THREE-B OF THIS CHAPTER, AS APPLICABLE.

S 2. Section 259-j of the executive law is amended by adding a new subdivision 4 to read as follows:

4. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PERSON GRANTED DISCHARGE PURSUANT TO SUBDIVISION ONE OF THIS SECTION SHALL BE PROVIDED A CERTIFICATE OF RELIEF FROM DISABILITIES PURSUANT TO SECTION SEVEN HUNDRED THREE OF THE CORRECTION LAW OR A CERTIFICATE OF GOOD CONDUCT PURSUANT TO SECTION SEVEN HUNDRED THREE-B OF THE CORRECTION LAW, AS APPLICABLE.

S 3. This act shall take effect on the ninetieth day after it shall have become a law.

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

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