

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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 2 of section 205 of the correction law, as  
2     added by section 32 of subpart A of part C of chapter 62 of the laws of  
3     2011, is amended to read as follows:  
4     2. (A) A merit termination granted by the department under this  
5     section shall constitute a termination of the sentence with respect to  
6     which it was granted. No such merit termination shall be granted unless  
7     the department is satisfied that termination of sentence from presump-  
8     tive release, parole, conditional release or post-release supervision is  
9     in the best interest of society, and that the parolee or releasee,  
10    otherwise financially able to comply with an order of restitution and  
11    the payment of any mandatory surcharge previously imposed by a court of  
12    competent jurisdiction, has made a good faith effort to comply there-  
13    with.  
14    (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PERSON GRANTED MERIT  
15    TERMINATION PURSUANT TO THIS SECTION SHALL BE PROVIDED A CERTIFICATE OF  
16    RELIEF FROM DISABILITIES PURSUANT TO SECTION SEVEN HUNDRED THREE OF THIS  
17    CHAPTER OR A CERTIFICATE OF GOOD CONDUCT UNDER SECTION SEVEN HUNDRED  
18    THREE-B OF THIS CHAPTER, AS APPLICABLE.  
19    S 2. Section 259-j of the executive law is amended by adding a new  
20    subdivision 4 to read as follows:  
21    4. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PERSON GRANTED  
22    DISCHARGE PURSUANT TO SUBDIVISION ONE OF THIS SECTION SHALL BE PROVIDED  
23    A CERTIFICATE OF RELIEF FROM DISABILITIES PURSUANT TO SECTION SEVEN  
24    HUNDRED THREE OF THE CORRECTION LAW OR A CERTIFICATE OF GOOD CONDUCT  
25    PURSUANT TO SECTION SEVEN HUNDRED THREE-B OF THE CORRECTION LAW, AS  
26    APPLICABLE.  
27    S 3. This act shall take effect on the ninetieth day after it shall  
28    have become a law.

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

LBD14926-02-6