

4905

2015-2016 Regular Sessions

I N   S E N A T E

April 23, 2015

---

Introduced by Sen. GALLIVAN -- (at request of the Department of Corrections and Community Supervision) -- 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 permitting certain inmate releases to occur on a Thursday to ensure next-day reporting

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

1     Section 1. Section 74 of the correction law, as added by chapter 476  
2 of the laws of 1970, is amended to read as follows:  
3     S 74. Discharge on holidays, Saturdays and Sundays. Where the date of  
4 release on parole or conditional release, or where the date of discharge  
5 from the care or custody of the department, falls on Saturday or Sunday,  
6 it shall be deemed to fall on the preceding Friday. Where the date of  
7 such release or discharge falls on a legal holiday it shall be deemed to  
8 fall on the preceding day, except that when such legal holiday falls on  
9 a Monday the date of release shall be deemed to fall on the preceding  
10 Friday. NOTWITHSTANDING THE FOREGOING, OR ANY OTHER PROVISION OF THE  
11 LAW TO THE CONTRARY, THE COMMISSIONER, IN HIS OR HER DISCRETION, MAY  
12 ADVANCE THE RELEASE DATE OF AN INMATE, WHO IS SCHEDULED TO BE RELEASED  
13 ON A FRIDAY, TO A THURSDAY IN ANY CASE WHERE THE INMATE WILL SERVE A  
14 PERIOD OF COMMUNITY SUPERVISION UPON RELEASE AND THE COMMISSIONER DETER-  
15 MINES THAT PUBLIC SAFETY WILL BE ENHANCED BY A NEXT DAY REPORTING  
16 REQUIREMENT.  
17     S 2. This act shall take effect on the thirtieth day after it shall  
18 have become a law.

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

LBD09570-01-5