STATE OF NEW YORK

9811

IN ASSEMBLY

February 9, 2018

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

AN ACT to amend the executive law, in relation to filling vacancies on the state board of parole

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivisions 1 and 5 of section 259-b of the executive law, as amended by section 38-a of subpart A of part C of chapter 62 of the laws of 2011, are amended to read as follows:

1. There shall be in the department a state board of parole which shall possess the powers and duties hereinafter specified. The board shall function independently of the department regarding all of its decision-making functions, as well as any other powers and duties specified in this article, provided, however, that administrative matters of general applicability within the department shall be applicable to the board. Such board shall consist of [~~not more than~~] nineteen members appointed by the governor with the advice and consent of the senate. The term of office of each member of such board shall be for six years; provided, however, that any member chosen to fill a vacancy occurring otherwise than by expiration of term shall be appointed for the remainder of the unexpired term of the member whom he is to succeed. In the event of the inability to act of any member, the governor may appoint some competent informed person to act in his stead during the continuance of such disability.

5. Each member of the board shall receive for his services an annual salary to be fixed by the governor within the amount appropriated therefor. Each member of such board shall also receive his necessary expenses actually incurred in the discharge of his duties. **After April first, two thousand eighteen, if any vacancy shall remain for more than three months, the annual compensation of sitting board members will be withheld until the board is at full capacity. The office of the state comptroller shall withhold payment of compensation until all vacancies have been filled.**

§ 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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