

# STATE OF NEW YORK

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4040

2017-2018 Regular Sessions

## IN ASSEMBLY

January 31, 2017

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Introduced by M. of A. WEPRIN, O'DONNELL, AUBRY -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to certificates of relief from disabilities

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

1 Section 1. Subdivision 2 of section 702 of the correction law, as  
2 amended by chapter 342 of the laws of 1972, is amended to read as  
3 follows:

4 2. Such certificate shall [~~not~~] be issued by the court [~~unless~~] when  
5 the court is satisfied that:

6 (a) The person to whom it is to be granted is an eligible offender, as  
7 defined in section seven hundred;

8 (b) The relief to be granted by the certificate is consistent with the  
9 rehabilitation of the eligible offender; and

10 (c) The relief to be granted by the certificate is consistent with the  
11 public interest.

12 § 2. Subdivision 3 of section 703 of the correction law, as amended by  
13 section 34 of subpart B of part C of chapter 62 of the laws of 2011, is  
14 amended to read as follows:

15 3. The department shall [~~not~~] issue [~~any~~] a certificate of relief from  
16 disabilities pursuant to subdivisions one or two, [~~unless~~] when the  
17 department is satisfied that:

18 (a) The person to whom it is to be granted is an eligible offender, as  
19 defined in section seven hundred;

20 (b) The relief to be granted by the certificate is consistent with the  
21 rehabilitation of the eligible offender; and

22 (c) The relief to be granted by the certificate is consistent with the  
23 public interest.

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

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

LBD05033-01-7