

STATE OF NEW YORK

4518

2017-2018 Regular Sessions

IN SENATE

February 16, 2017

Introduced by Sens. MONTGOMERY, COMRIE, KRUEGER -- 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 executive law, in relation to requiring the state board of parole to reflect the composition of the prison population in race, age and geographic area of residence

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

1 Section 1. Subdivision 1 of section 259-b of the executive law, as
2 amended by section 38-a of subpart A of part C of chapter 62 of the laws
3 of 2011, is amended to read as follows:

4 1. There shall be in the department a state board of parole [~~which~~
5 that] shall possess the powers and duties hereinafter specified. The
6 board shall function independently of the department regarding all of
7 its decision-making functions, as well as any other powers and duties
8 specified in this article, provided, however, that administrative
9 matters of general applicability within the department shall be applica-
10 ble to the board. Such board shall consist of not more than nineteen
11 members and not less than fifteen members appointed by the governor with
12 the advice and consent of the senate. In making appointments to the
13 board, the governor shall ensure that the membership shall adequately
14 reflect the composition of the prison population in race and ethnicity,
15 age, and geographic area of residence. The percentage of each demograph-
16 ic characteristic of the members shall be directly proportionate to that
17 of the prison population. The term of office of each member of such
18 board shall be for six years; provided, however, that any member chosen
19 to fill a vacancy occurring otherwise than by expiration of term shall
20 be appointed, in the manner specified above, for the remainder of the
21 unexpired term of the member whom he or she is to succeed. In the event
22 of the inability to act of any member, the governor may appoint some

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

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1 competent informed person to act in his or her stead during the contin-
2 uance of such disability.

3 § 2. The state board of parole as constituted on the effective date of
4 this section is hereby abolished as of January 1, 2018. Members of the
5 state board of parole as constituted pursuant to the provisions of
6 subdivision 1 of section 259-b of the executive law, as amended by
7 section one of this act, shall be appointed by the appropriate state
8 official prior to January 1, 2018, so that such board may be fully oper-
9 ative on and after such date.
10 § 3. This act shall take effect immediately.