STATE OF NEW YORK

7305

IN SENATE

January 5, 2018

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, in relation to enrolling inmates into programs

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

Section 1. Subdivision 1 of section 259-l of the executive law, as amended by a chapter of the laws of 2017, amending the correction law and the executive law relating to enrolling inmates into programs, as proposed in legislative bills numbers S. 5494-A and A. 6353-B, is amended to read as follows:

1. It shall be the duty of the commissioner of corrections and community supervision to ensure that all officers and employees of the department shall at all times cooperate with the board of parole and shall furnish to such members of the board and employees of the board such information as may be appropriate to enable them to perform their independent decision making functions. It is also his or her duty to ensure that the functions of the board of parole are not hampered in any way, including but not limited to: a restriction of resources including staff assistance; limited access to vital information; and presentation of inmate information in a manner that may inappropriately influence the board in its decision making. Where an inmate has appeared before the board prior to having completed any program assigned by the department, **and such program remains incomplete by no fault of the inmate,** and where the board has denied such inmate release pursuant to paragraph (a) of subdivision two of section two hundred fifty-nine-i of this article, the department shall prioritize such inmate's [~~immediate~~] placement into the assigned program.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2017, amending the correction law and the executive law relating to enrolling inmates into programs, as proposed in legislative bills numbers S. 5494-A and A. 6353-B, takes effect.

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

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