

# STATE OF NEW YORK

10623

## IN ASSEMBLY

June 10, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Sayegh) --  
read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to prohibiting the  
transfer of incarcerated individuals during a public health emergency  
unless the incarcerated individual requests such transfer

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

1 Section 1. The correction law is amended by adding a new section 626  
2 to read as follows:

3 § 626. Care of incarcerated individuals during a public health emer-  
4 gency. (a) No incarcerated individual shall be transferred from a state  
5 correctional facility or a local correctional facility to a different  
6 state correctional facility or local correctional facility during a  
7 declared public health emergency; provided, however, that if there is an  
8 outbreak of a disease in a state correctional facility or a local  
9 correctional facility, incarcerated individuals may be transferred from  
10 such facility; provided further, however, that this section shall not  
11 apply to transfers requested by incarcerated individuals.

12 (b) During a declared public health emergency, each incarcerated indi-  
13 vidual shall be continually tested for any disease related to such  
14 public health emergency as soon as is practicable following the develop-  
15 ment of a test for such disease. The results from the tests of incarcer-  
16 ated individuals shall be reported to the commissioner, the governor,  
17 the temporary president of the senate, and the speaker of the assembly.

18 § 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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