

# STATE OF NEW YORK

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905

2019-2020 Regular Sessions

## IN ASSEMBLY

January 14, 2019

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Introduced by M. of A. PERRY -- read once and referred to the Committee on 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  
23 competent informed person to act in his or her stead during the contin-  
24 uance of such disability.

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

LBD03436-01-9

1     § 2. The state board of parole as constituted on the effective date of  
2 this section is hereby abolished as of January 1, 2020. Members of the  
3 state board of parole as constituted pursuant to the provisions of  
4 subdivision 1 of section 259-b of the executive law, as amended by  
5 section one of this act, shall be appointed by the appropriate state  
6 official prior to January 1, 2020, so that such board may be fully oper-  
7 ative on and after such date.

8     § 3. This act shall take effect immediately.