

# STATE OF NEW YORK

7658

2019-2020 Regular Sessions

## IN ASSEMBLY

May 14, 2019

Introduced by M. of A. EPSTEIN -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to providing telephone service to inmates at no cost

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

1 Section 1. Subdivisions 1, 2 and 3 of section 623 of the correction  
2 law, as added by chapter 240 of the laws of 2007, are amended to read as  
3 follows:

4 1. Telephone services contracts for inmates in state correctional  
5 facilities shall be subject to the procurement provisions as set forth  
6 in article eleven of the state finance law [~~provided, however, that when~~  
7 ~~determining the best value of such telephone service, the lowest possi-~~  
8 ~~ble cost to the telephone user shall be emphasized~~].

9 2. The department shall [~~make available either a "prepaid" or "collect~~  
10 ~~call" system, or a combination thereof, for telephone service. Under the~~  
11 ~~"prepaid" system, funds may be deposited into an account in order to pay~~  
12 ~~for station-to-station calls, provided that nothing in this subdivision~~  
13 ~~shall require the department to provide or administer a prepaid system.~~  
14 ~~Under a "collect call" system, call recipients are billed for the cost~~  
15 ~~of an accepted telephone call initiated by an inmate. Under such~~  
16 ~~"collect call" system, the provider of inmate telephone service, as an~~  
17 ~~additional means of payment, must permit the recipient of inmate calls~~  
18 ~~to establish an account with such provider in order to deposit funds to~~  
19 ~~pay for such collect calls in advance~~] provide telephone services to  
20 individuals within the custody of the department in correctional facili-  
21 ties at no cost to the individuals or the receiving parties for domestic  
22 telephone calls.

23 3. The department shall not accept or receive revenue [~~in excess of~~  
24 ~~its reasonable operating cost~~] provide telephone services to

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

LBD11453-01-9

1 telephone system services as provided in subdivisions one and two of  
2 this section.

3 § 2. This act shall take effect April 1, 2020 and shall apply to any  
4 new or renewal contract for inmate telephone services entered into on or  
5 after such date and provided further that any new or renewal contract  
6 for inmate telephone services entered into prior to April 1, 2020 shall  
7 not run past March 31, 2020.