STATE OF NEW YORK

2429

2019-2020 Regular Sessions

IN SENATE

January 24, 2019

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

AN ACT to amend the executive law, in relation to providing certain immigrants with confidential consultation and assistance on potential petitions for executive clemency

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

Section 1. Paragraphs (m) and (n) of subdivision 5 of section 94-b of the executive law, as added by chapter 206 of the laws of 2014, are amended to read as follows:

(m) Encourage and assist local governments in the development of activities to enhance civic engagement among immigrants and in immigrant communities; [~~and~~]

(n) **Provide or arrange for confidential consultation with an immigrant who has a prior conviction for one or more offenses or crimes, other than violent crimes or other crimes of a serious nature that might justify deportation of such individual, on the potential availability of executive clemency pursuant to article two-A of this chapter, and provide or arrange for assistance with the filing of petitions therefor; and**

(o) Beginning in two thousand fifteen, by June fifteenth of each year, produce a report to the governor, the speaker of the assembly, and the temporary president of the senate describing the activities of the office, including but not limited to, summarizing calls received through the hotline and website, information on ESOL training services provided by the office, the number of immigrants assisted through the opportunity centers, or an estimation thereof, the status of any workforce development programs, and any other relevant information.

§ 2. Notwithstanding any other provision of law, unless disclosure is required by lawful court order, no personally-identifiable information obtained by the Office for New Americans or any agent thereof for the

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

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purpose of confidential consultation and assistance related to a potential petition for executive clemency shall be disclosed to any other person or entity without the consent of the individual to whom such information pertains.

§ 3. This act shall take effect on the sixtieth day after it shall have become a law.