STATE OF NEW YORK

1413--A

2021-2022 Regular Sessions

IN ASSEMBLY

January 11, 2021

Introduced by M. of A. FERNANDEZ, CRUZ, GOTTFRIED, EPSTEIN, HYNDMAN, SAYEGH, SIMON, GLICK, DAVILA, DARLING -- Multi-Sponsored by -- M. of A. COOK -- read once and referred to the Committee on Correction -- recommitted to the Committee on Correction in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the correction law, in relation to commissaries or canteens in correctional institutions

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

Section 1. Section 26 of the correction law, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

§ 26. [~~Establishment of commissaries~~] **Commissaries** or canteens in correctional institutions. **1.** The commissioner may authorize the head of any institution in the department to establish a commissary or a canteen in such institution for the use and benefit of incarcerated individuals. **Items sold at the commissary or canteen shall be sold at the current market rate for such items, as based upon the cost of similar items for sale in the same region as the correctional facility.** The moneys received by the head of the institution as profits from the sales of the commissary or canteen shall be deposited in a special fund to be known as the commissary or canteen fund and such funds shall be used for the general purposes of the institution subject to the provisions of section fifty-three of the state finance law.

2. Money placed into the commissary or canteen account or fund of an incarcerated individual shall only be used by the incarcerated individual for purchases at such commissary or canteen. No funds shall be removed from an incarcerated individual's commissary or canteen account or fund for a violation, as a penalty, or for any reason other than a purchase at such commissary or canteen.

§ 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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