STATE OF NEW YORK

4682

2021-2022 Regular Sessions

IN ASSEMBLY

February 4, 2021

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 a certain ratio of telephones to incarcerated people in state and local correctional facilities

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

Section 1. Section 623 of the correction law, as added by chapter 240 of the laws of 2007, is amended to read as follows:

§ 623. [~~Inmate telephone~~] **Telephone** services **for incarcerated people**. 1. Telephone services contracts for [~~inmates~~] **incarcerated people** in state correctional facilities shall be subject to the procurement provisions as set forth in article eleven of the state finance law provided, however, that when determining the best value of such telephone service, the lowest possible cost to the telephone user shall be emphasized.

2. **(a)** The department shall make available either a "prepaid" or "collect call" system, or a combination thereof, for telephone service. Under the "prepaid" system, funds may be deposited into an account in order to pay for station-to-station calls, provided that nothing in this subdivision shall require the department to provide or administer a prepaid system. Under a "collect call" system, call recipients are billed for the cost of an accepted telephone call initiated by an [~~inmate~~] **incarcerated person**. Under such "collect call" system, the provider of [~~inmate~~] telephone service **for incarcerated people**, as an additional means of payment, must permit the recipient of [~~inmate~~] calls **from an incarcerated person** to establish an account with such provider in order to deposit funds to pay for such collect calls in advance.

(b) State and local agencies charged with the operation and management of state and local correctional facilities shall provide at least one

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

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telephone per every ten incarcerated people in each housing unit in such state and local correctional facilities.

3. The department shall not accept or receive revenue in excess of its reasonable operating cost for establishing and administering such telephone system services as provided in subdivisions one and two of this section.

4. The department shall establish rules and regulations or departmental procedures to ensure that any [~~inmate~~] phone call system **for incarcerated people** established by this section provides reasonable security measures to preserve the safety and security of each correctional facility, all staff and all persons outside a facility who may receive [~~inmate~~] phone calls **from incarcerated people**.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.