

# 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:

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

3 § 623. [~~Inmate telephone~~] Telephone services for incarcerated people.

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

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

22 (b) State and local agencies charged with the operation and management  
23 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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1 telephone per every ten incarcerated people in each housing unit in such  
2 state and local correctional facilities.

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

7 4. The department shall establish rules and regulations or depart-  
8 mental procedures to ensure that any [~~inmate~~] phone call system for  
9 incarcerated people established by this section provides reasonable  
10 security measures to preserve the safety and security of each correc-  
11 tional facility, all staff and all persons outside a facility who may  
12 receive [~~inmate~~] phone calls from incarcerated people.

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