STATE OF NEW YORK

5705--A

2021-2022 Regular Sessions

IN ASSEMBLY

February 24, 2021

Introduced by M. of A. JOYNER, BURDICK, D. ROSENTHAL, DINOWITZ, ZINERMAN, REYES, SIMON, DE LA ROSA -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the correction law and the executive law, in relation to work related labor protests not being considered a parole violation

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

Section 1. The correction law is amended by adding a new section 210 to read as follows:

§ 210. Permitted activities. Where any person is granted presumptive release, parole, conditional release or release to post-release supervision, such person shall not be deemed to be in violation of and the department shall not terminate such granted presumptive release, parole, conditional release or release to post-release supervision solely because such person participated in work related labor protests, or in a lawful labor dispute, strike or other concerted stoppage of work or slowdown pursuant to article twenty of the labor law or the national labor relations act (29 U.S.C. sections 151 et. seq.).

§ 2. Section 274 of the correction law is amended by adding a new subdivision 11 to read as follows:

11. The commission, or any member thereof, shall not determine that a person who has been conditionally released has lapsed into criminal ways or company, or has violated one or more conditions of conditional release because such person participated in work related labor protests, or in a lawful labor dispute, strike or other concerted stoppage of work or slowdown pursuant to article twenty of the labor law or the national labor relations act (29 U.S.C. sections 151 et. seq.).

§ 3. The executive law is amended by adding a new section 259-t to read as follows:

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

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§ 259-t. Permitted activities. Where any person is granted presumptive release, parole, conditional release, release to post-release supervision or any other type of supervised release, the state board of parole shall not deem a person to be in violation of and the state board of parole shall not terminate such granted presumptive release, parole, conditional release, release to post-release supervision or any other type of supervised release solely because such person participated in work related labor protests, or in a lawful labor dispute, strike or other concerted stoppage of work or slowdown pursuant to article twenty of the labor law or the national labor relations act (29 U.S.C. sections 151 et. seq.).

§ 4. This act shall take effect immediately.