

# STATE OF NEW YORK

9273

## IN ASSEMBLY

February 9, 2022

Introduced by M. of A. AUBRY -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, the executive law, the local finance law, the mental hygiene law, the penal law, the public health law, the social services law and the administrative code of the city of New York, in relation to replacing instances of the words inmate or inmates with the words incarcerated individual or incarcerated individuals

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

1 Section 1. Subdivision 18 of section 45 of the correction law, as  
2 added by chapter 432 of the laws of 2021, is renumbered subdivision 19  
3 and is amended to read as follows:  
4 19. Establish standards and guidelines for a program of medication  
5 assisted treatment for [~~inmates~~] incarcerated individuals in county  
6 jails and/or county correctional facilities equivalent to the program  
7 established in state correctional facilities pursuant to section six  
8 hundred twenty-six of this chapter and submit an annual report consist-  
9 ent with the requirements of subdivision three of such section.  
10 § 2. Section 49 of the correction law, as added by chapter 557 of the  
11 laws of 2021, is amended to read as follows:  
12 § 49. Commission on prison education. There is hereby established a  
13 commission on prison education comprised of nine members who shall study  
14 and develop a plan for improving education in the state prison system.  
15 The commission on prison education shall consider and investigate the  
16 following factors when determining education improvements: the impact on  
17 an [~~inmate's~~] incarcerated individual's employment opportunities upon  
18 release from prison, the impact on an [~~inmate's~~] incarcerated individ-  
19 ual's reintegration into society and the effectiveness in reducing reci-  
20 divism. Appointments to the task force shall be made as follows: three  
21 by the governor; two by the speaker of the assembly; one by the minority  
22 leader of the assembly; two by the temporary president of the senate and  
23 one by the minority leader of the senate. The commission on prison

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

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1 education shall issue a report within ten months after the effective  
2 date of this section.

3 § 3. Subdivision 1-b of section 71 of the correction law, as amended  
4 by chapter 322 of the laws of 2021, is amended to read as follows:

5 1-b. The commissioner shall promulgate rules and regulations setting  
6 forth the procedures by which an incarcerated individual may apply to be  
7 considered for transfer to a foreign nation. The commissioner, or his  
8 designee, shall retain sole and absolute authority to approve or disap-  
9 prove an incarcerated individual's application for transfer. Nothing  
10 herein shall be construed to confer upon an incarcerated individual a  
11 right to be [a] transferred to a foreign nation. Notwithstanding any  
12 other law, rule or regulation to the contrary, no [~~inmate~~] incarcerated  
13 individual application for transfer shall be processed unless the incar-  
14 cerated individual has first indicated his willingness and desire in  
15 writing, on a form prescribed by the commissioner, to be considered for  
16 transfer to the foreign nation. Such form shall also contain a copy of  
17 the incarcerated individual's most recent legal date computation print-  
18 out indicating the term or aggregate term of the sentence originally  
19 imposed and the release dates resulting therefrom. If a request for  
20 transfer is approved by the commissioner or his designee, facility staff  
21 shall assist in the preparation and submission of all materials and  
22 forms necessary to effectuate the person's request for transfer to the  
23 United States Department of Justice for purposes of finalization of the  
24 transfer process, including verification proceedings before a United  
25 States District Court Judge, United States magistrate or other appointed  
26 United States official to assure and document the incarcerated individ-  
27 ual's voluntary request for transfer.

28 § 4. Paragraph b of subdivision 3 of section 146 of the correction  
29 law, as amended by chapter 32 of the laws of 2021, is amended to read as  
30 follows:

31 b. Upon twenty-four hours advance notice, at the commencement of any  
32 visits to, or inspections and examinations of, state correctional facil-  
33 ities, the superintendent and executive team, to the extent practicable,  
34 shall meet with the correctional association. Upon twenty-four hours  
35 advance notice, the correctional association may meet privately with the  
36 [~~inmate~~] incarcerated individual liaison committee and representatives  
37 of the [~~inmate~~] incarcerated individual grievance resolution committee  
38 or any other organization of incarcerated individuals recognized by the  
39 department.

40 § 5. Subparagraph (i) of paragraph (a) of subdivision 2 of section 401  
41 of the correction law, as separately amended by section 8 of part NNN of  
42 chapter 59 and chapter 322 of the laws of 2021, is amended to read as  
43 follows:

44 (i) In exceptional circumstances, a mental health clinician, or the  
45 highest ranking facility security supervisor in consultation with a  
46 mental health clinician who has interviewed the incarcerated individual,  
47 may determine that an incarcerated individual's access to out-of-cell  
48 therapeutic programming and/or mental health treatment in a residential  
49 mental health treatment unit presents an unacceptable risk to the safety  
50 of incarcerated individuals or staff. Such determination shall be docu-  
51 mented in writing and such [~~inmate~~] incarcerated individual may be  
52 removed to a residential rehabilitation unit that is not a residential  
53 mental health treatment unit where alternative mental health treatment  
54 and/or other therapeutic programming, as determined by a mental health  
55 clinician, shall be provided.

1 § 6. Subdivision 2 of section 500-k of the correction law, as added by  
2 chapter 93 of the laws of 2021, is amended to read as follows:

3 2. Notwithstanding any other section of law to the contrary, subdivi-  
4 sion thirty-four of section two of this chapter, and subparagraphs (i),  
5 (iv) and (v) of paragraph (j) and subparagraph (ii) of paragraph (m) of  
6 subdivision six of section one hundred thirty-seven of this chapter  
7 shall not apply to local correctional facilities with a total combined  
8 capacity of five hundred [~~inmates~~] incarcerated individuals or fewer.

9 § 7. Section 601-a of the correction law, as amended by chapter 337 of  
10 the laws of 2009, is amended to read as follows:

11 § 601-a. Return of persons erroneously sentenced for the purpose of  
12 resentence. Whenever it shall appear to the satisfaction of the depart-  
13 ment based on facts submitted on behalf of a person sentenced and  
14 confined in a state prison, that any such person has been erroneously  
15 sentenced, it shall be the duty of the department to communicate with  
16 the sentencing court, the [~~inmate's~~] incarcerated individual's defense  
17 attorney and the district attorney of the county in which such person  
18 was convicted. If upon investigation, the sentencing court, the defense  
19 attorney or the district attorney believes that the person has been so  
20 erroneously sentenced, the sentencing court, or the district attorney  
21 acting at the direction of the sentencing court, shall notify the  
22 department and arrange for the person to be heard and properly resen-  
23 tenced. The department thereupon shall comply with any court order to  
24 produce such person from such prison and cause him or her to be taken  
25 before the court in which he or she was sentenced for the purpose of  
26 resentence. The cost and expense of the return of such person necessar-  
27 ily incurred shall be a charge against the county from which he or she  
28 was committed.

29 § 8. Section 607 of the correction law, as added by chapter 570 of the  
30 laws of 2021, is amended to read as follows:

31 § 607. Prohibition of double-bunked housing. 1. For purposes of this  
32 section "double-bunked housing" shall mean the practice of [~~inmate~~]  
33 incarcerated individual housing where bunk beds are used in a dormitory  
34 setting, with [~~inmates~~] incarcerated individuals residing in an open  
35 space and sleeping on bunk beds.

36 2. Upon the effective date of this section, the department is prohib-  
37 ited from housing [~~inmates~~] incarcerated individuals using double-bunked  
38 housing practices in correctional facilities. Any [~~inmates~~] incarcerated  
39 individuals housed in such double-bunked housing on the effective date  
40 of this section shall be moved to other housing accommodations provided  
41 that such accommodations are not located in a more restrictive housing  
42 unit or correctional facility unless otherwise appropriate.

43 3. The department is authorized to promulgate or repeal any rules and  
44 regulations necessary to facilitate the implementation of this section.

45 § 9. Subdivision 4 of section 611 of the correction law, as added by  
46 chapter 621 of the laws of 2021, is amended to read as follows:

47 4. Upon admitting a woman known to be pregnant, or upon learning of  
48 pregnancy status, the chief medical officer of each correctional facili-  
49 ty housing female [~~inmates~~] incarcerated individuals, including the  
50 medical professional responsible for each local correctional facility  
51 housing female [~~inmates~~] incarcerated individuals, or such officer or  
52 professional's designee, shall immediately inform such woman of the  
53 option of participating in pregnancy counseling services and the right  
54 to abortion services.

55 § 10. Section 625 of the correction law, as added by chapter 392 of  
56 the laws of 2018, is amended to read as follows:

1 § 625. Feminine hygiene products. Feminine hygiene products, includ-  
2 ing, but not limited to, sanitary napkins, tampons and panty liners,  
3 shall be provided at no cost to individuals housed in state and local  
4 correctional facilities used for the general confinement of female  
5 [~~inmates~~] incarcerated individuals and in any other state or local  
6 facility where women are detained or confined by law enforcement agen-  
7 cies.

8 § 11. Section 626 of the correction law, as added by chapter 432 of  
9 the laws of 2021, is amended to read as follows:

10 § 626. Medication assisted treatment in correctional facilities. 1.  
11 For purposes of this section "medication assisted treatment" means  
12 treatment of chemical dependence or abuse and concomitant conditions  
13 with medications requiring a prescription or order from an authorized  
14 prescribing professional.

15 2. (a) The commissioner, in conjunction with the office of [~~alcoholism~~  
16 ~~and substance abuse~~] addiction services and supports, shall establish a  
17 program to be administered at correctional facilities within the depart-  
18 ment in the state, for the purpose of employing medication assisted  
19 treatment for [~~inmates~~] incarcerated individuals in such facilities who  
20 are undergoing treatment for a substance use disorder. Such program  
21 shall include all forms of medication assisted treatments approved for  
22 the treatment of a substance use disorder by the Federal Food and Drug  
23 Administration for the duration of an [~~inmate's~~] incarcerated individ-  
24 ual's incarceration and shall provide an individualized treatment plan  
25 for each participant. After a medical screening, [~~inmates~~] incarcerated  
26 individuals who are determined to suffer from a substance use disorder,  
27 for which FDA approved addiction medications exist shall be offered  
28 placement in the medication assisted treatment program. Placement in  
29 such program shall not be mandatory. Each participating [~~inmate~~] incar-  
30 cerated individual shall work with an authorized specialist to determine  
31 an individualized treatment plan, including an appropriate level of  
32 counseling. Decisions regarding type, dosage, or duration of any medica-  
33 tion regimen shall be made by a qualified health care professional  
34 licensed or certified under title eight of the education law who is  
35 authorized to administer such medication in conjunction with the  
36 [~~inmate~~] incarcerated individual.

37 (b) i. Such program shall also include conditions for a reentry strat-  
38 egy for [~~inmates~~] incarcerated individuals who have participated in  
39 medication assisted treatment. Such strategy shall include, but not be  
40 limited to, providing each participating [~~inmate~~] incarcerated individ-  
41 ual with information on available treatment facilities in their area,  
42 information on available housing and employment resources, and any other  
43 information that will assist the [~~inmate~~] incarcerated individual in  
44 continued recovery once released. Such program shall also assist the  
45 [~~inmate~~] incarcerated individual in Medicaid enrollment, prior to  
46 release.

47 ii. Such program shall provide participating [~~inmates~~] incarcerated  
48 individual preparing for release from prison with a one-week supply of  
49 any necessary medication, where permissible under federal laws and regu-  
50 lations to continue their medication assisted treatment in an effort to  
51 prevent relapse.

52 (c) Reentry planning and community supervision should include a colla-  
53 borative relationship between clinical and parole staff including shar-  
54 ing of accurate information regarding the [~~inmate's~~] incarcerated indi-  
55 vidual's participation in medication assisted treatment to ensure that  
56 their medication is not deemed illicit or illegal. Additionally, proce-

1 dures shall be developed to assist any reentrant who communicates a  
2 relapse with their parole officer or who fails a drug test, to receive  
3 substance use disorder support in lieu of arrest and/or incarceration.

4 3. The commissioner shall submit within one year of the effective date  
5 of this section and annually thereafter, a report to the governor, the  
6 temporary president of the senate and the speaker of the assembly on the  
7 effectiveness of the program established pursuant to this section. Such  
8 reports shall include an analysis of the impact of such program on the  
9 participating [~~inmates~~] incarcerated individuals, including factors such  
10 as institutional adjustment, behavior infractions, reentry rates, HIV  
11 and hepatitis C treatment, and program participation, among related  
12 relevant factors. The reports shall also include the impact on institu-  
13 tional safety and performance and any recommendations for additional  
14 legislative enactments that may be needed or required to improve or  
15 enhance the program as determined to be appropriate by the commissioner.

16 4. Participation in the medication assisted treatment program shall  
17 not be withheld from a qualified [~~inmate~~] incarcerated individual. An  
18 [~~inmate~~] incarcerated individual may enter into such program at any time  
19 during his or her incarceration. An [~~inmate~~] incarcerated individual  
20 using medication assisted treatment prior to such [~~inmate's~~] incarcerat-  
21 ed individual's incarceration shall be eligible to, upon request by such  
22 [~~inmate~~] incarcerated individual, continue such treatment in the medica-  
23 tion assisted treatment program for any period of time during the dura-  
24 tion of such [~~inmate's~~] incarcerated individual's incarceration. No  
25 person shall be denied participation in the program on the basis of a  
26 positive drug screening upon entering custody or upon intake into the  
27 program; nor shall any person receive a disciplinary infraction for such  
28 positive drug screening. No person shall be removed from, or denied  
29 participation in the program on the basis of having received any disci-  
30 plinary infraction: (a) before entry into the program; or (b) during  
31 participation in the program.

32 § 12. The article heading of article 26-A of the correction law, as  
33 added by chapter 261 of the laws of 1987, is amended to read as follows:

34 SHOCK INCARCERATION PROGRAM  
35 FOR STATE CORRECTIONAL [~~INMATES~~] INCARCERATED  
36 INDIVIDUALS

37 § 13. Subdivision 3 of section 259-h of the executive law, as added by  
38 chapter 904 of the laws of 1977, is amended to read as follows:

39 3. The provisions of this subdivision shall apply in any case where a  
40 person is under a sentence imposed pursuant to the penal law in effect  
41 prior to September first, nineteen hundred sixty-seven, other than a  
42 sentence specified in subdivisions one and two of this section. Any  
43 person who is not otherwise or who will not sooner become eligible for  
44 release on parole shall be or become eligible for release on parole  
45 under such sentence after service of a minimum period of imprisonment of  
46 eight years and four months.

47 Notwithstanding the provisions of subdivisions one and two hereof,  
48 [~~inmates~~] incarcerated individuals convicted of murder, second degree,  
49 and sentenced pursuant to the provisions of the penal law in effect  
50 prior to September first, nineteen hundred sixty-seven, who are not  
51 otherwise or who will not sooner become eligible for release on parole,  
52 shall be eligible for release on parole under such sentence after  
53 service of a minimum period of imprisonment of eight years and four  
54 months.

55 § 14. Subparagraph (i) of paragraph (a) of subdivision 2 of section  
56 259-i of the executive law, as separately amended by section 6 of chap-

1 ter 103 and section 11 of chapter 322 of the laws of 2021, is amended to  
2 read as follows:

3 (i) Except as provided in subparagraph (ii) of this paragraph, at  
4 least one month prior to the date on which an incarcerated individual  
5 may be paroled pursuant to subdivision one of section 70.40 of the penal  
6 law, a member or members as determined by the rules of the board shall  
7 personally interview such incarcerated individual and determine whether  
8 he or she should be paroled in accordance with the guidelines adopted  
9 pursuant to subdivision four of section two hundred fifty-nine-c of this  
10 article. If parole is not granted upon such review, the incarcerated  
11 individual shall be informed in writing within two weeks of such appear-  
12 ance of the factors and reasons for such denial of parole. Such reasons  
13 shall be given in detail and not in conclusory terms. The board shall  
14 specify a date not more than twenty-four months from such determination  
15 for reconsideration, and the procedures to be followed upon reconsider-  
16 ation shall be the same. If the incarcerated individual is released, he  
17 or she shall be given a copy of the conditions of parole. Such condi-  
18 tions shall where appropriate, include a requirement that the parolee  
19 comply with any restitution order, mandatory surcharge, sex offender  
20 registration fee and DNA databank fee previously imposed by a court of  
21 competent jurisdiction that applies to the parolee. The conditions shall  
22 indicate which restitution collection agency established under subdivi-  
23 sion eight of section 420.10 of the criminal procedure law, shall be  
24 responsible for collection of restitution, mandatory surcharge, sex  
25 offender registration fees and DNA databank fees as provided for in  
26 section 60.35 of the penal law and section eighteen hundred nine of the  
27 vehicle and traffic law. If the [~~inmate~~] incarcerated individual is  
28 released, he or she shall also be notified in writing that his or her  
29 voting rights will be restored upon release.

30 § 15. Paragraph (a) of subdivision 2 of section 259-i of the executive  
31 law, as separately amended by section 7 of chapter 103 and section 11-a  
32 of chapter 322 of the laws of 2021, is amended to read as follows:

33 (a) At least one month prior to the expiration of the minimum period  
34 or periods of imprisonment fixed by the court or board, a member or  
35 members as determined by the rules of the board shall personally inter-  
36 view an incarcerated individual serving an indeterminate sentence and  
37 determine whether he or she should be paroled at the expiration of the  
38 minimum period or periods in accordance with the procedures adopted  
39 pursuant to subdivision four of section two hundred fifty-nine-c of this  
40 article. If parole is not granted upon such review, the incarcerated  
41 individual shall be informed in writing within two weeks of such appear-  
42 ance of the factors and reasons for such denial of parole. Such reasons  
43 shall be given in detail and not in conclusory terms. The board shall  
44 specify a date not more than twenty-four months from such determination  
45 for reconsideration, and the procedures to be followed upon reconsider-  
46 ation shall be the same. If the incarcerated individual is released, he  
47 or she shall be given a copy of the conditions of parole. Such condi-  
48 tions shall where appropriate, include a requirement that the parolee  
49 comply with any restitution order and mandatory surcharge previously  
50 imposed by a court of competent jurisdiction that applies to the paro-  
51 lee. The conditions shall indicate which restitution collection agency  
52 established under subdivision eight of section 420.10 of the criminal  
53 procedure law, shall be responsible for collection of restitution and  
54 mandatory surcharge as provided for in section 60.35 of the penal law  
55 and section eighteen hundred nine of the vehicle and traffic law. If the  
56 [~~inmate~~] incarcerated individual is released, he or she shall also be

1 notified in writing that his or her voting rights will be restored upon  
2 release.

3 § 16. Subdivision 5 of paragraph b of section 101.00 of the local  
4 finance law, as amended by chapter 200 of the laws of 1960, is amended  
5 to read as follows:

6 5. A county, city or town from providing, pursuant to law, for the  
7 care, support, maintenance and secular education of inmates of orphan  
8 asylums, homes for dependent children or incarcerated individuals in  
9 correctional institutions and of children placed in family homes by  
10 authorized agencies, whether under public or private control.

11 § 17. Subdivision (l) of section 10.03 of the mental hygiene law, as  
12 added by chapter 7 of the laws of 2007, is amended to read as follows:

13 (l) "Related offenses" include any offenses that are prosecuted as  
14 part of the same criminal action or proceeding, or which are part of the  
15 same criminal transaction, or which are the bases of the orders of  
16 commitment received by the department of correctional services in  
17 connection with an [~~inmate's~~] incarcerated individual's current term of  
18 incarceration.

19 § 18. Subdivision 8 of section 60.05 of the penal law, as added by  
20 section 1 of part KK of chapter 55 of the laws of 2019, is amended to  
21 read as follows:

22 8. Shock incarceration participation. (a) When the court imposes a  
23 determinate sentence of imprisonment pursuant to subdivision three of  
24 section 70.02 of this chapter or subdivision six of section 70.06 of  
25 this chapter upon a person who stands convicted either of burglary in  
26 the second degree as defined in subdivision two of section 140.25 of  
27 this chapter or robbery in the second degree as defined in subdivision  
28 one of section 160.10 of this chapter, or an attempt thereof, upon  
29 motion of the defendant, the court may issue an order directing that the  
30 department of corrections and community supervision enroll the defendant  
31 in the shock incarceration program as defined in article twenty-six-A of  
32 the correction law, provided that the defendant is an eligible [~~inmate~~]  
33 incarcerated individual, as described in subdivision one of section  
34 eight hundred sixty-five of the correction law. Notwithstanding the  
35 foregoing provisions of this subdivision, any defendant to be enrolled  
36 in such program pursuant to this subdivision shall be governed by the  
37 same rules and regulations promulgated by the department of corrections  
38 and community supervision, including without limitation those rules and  
39 regulations establishing requirements for completion and such rules and  
40 regulations governing discipline and removal from the program.

41 (b) Paragraph [~~(b)~~] b of subdivision seven of section 60.04 of this  
42 article shall apply in the event an [~~inmate~~] incarcerated individual  
43 designated by court order for enrollment in the shock incarceration  
44 program requires a degree of medical care or mental health care that  
45 cannot be provided at a shock incarceration facility.

46 § 19. Subparagraph (i) of paragraph (a), subparagraph (ii) of para-  
47 graph (c) and subparagraphs (i) and (ii) of paragraph (f) of subdivision  
48 6 of section 3502 of the public health law, as added by chapter 313 of  
49 the laws of 2018, are amended to read as follows:

50 (i) Notwithstanding the provisions of this section or any other  
51 provision of law, rule or regulation to the contrary, licensed practi-  
52 tioners, persons licensed under this article and unlicensed personnel  
53 employed at a local correctional facility may, in a manner permitted by  
54 the regulations promulgated pursuant to this subdivision, utilize body  
55 imaging scanning equipment that applies ionizing radiation to humans for  
56 purposes of screening [~~inmates~~] incarcerated individuals committed to

1 such facility, in connection with the implementation of such facility's  
2 security program.

3 (ii) Limitations on exposure which shall be no more than fifty percent  
4 of the annual exposure limits for non-radiation workers as specified by  
5 applicable regulations, except that [~~inmates~~] incarcerated individuals  
6 under the age of eighteen shall not be subject to more than five percent  
7 of such annual exposure limits, and pregnant women shall not be subject  
8 to such scanning at any time. Procedures for identifying pregnant women  
9 shall be set forth in the regulations;

10 (i) the number of times the equipment was used on [~~inmates~~] incarcer-  
11 ated individuals upon intake, after visits, and upon the suspicion of  
12 contraband, as well as any other event that triggers the use of such  
13 equipment;

14 (ii) the average, median, and highest number of times the equipment  
15 was used on any [~~inmate~~] incarcerated individual, with corresponding  
16 exposure levels;

17 § 20. Subdivision 7 of section 194 of the social services law, as  
18 amended by chapter 322 of the laws of 2021, is amended to read as  
19 follows:

20 7. as far as practicable provide suitable employment for any incarcer-  
21 ated individual whom the attending physician pronounces able to work,  
22 assigning such [~~inmates~~] incarcerated individuals to such labor in  
23 connection with the farm and garden, or the care and upkeep of the  
24 buildings or other suitable tasks in the public home as they may be  
25 deemed capable of performing, and providing occupational and other  
26 diversions as may be for the best interests of the incarcerated individ-  
27 uals,

28 § 21. Paragraph 1 of subdivision b of section 9-143 of the administra-  
29 tive code of the city of New York, as amended by chapter 322 of the laws  
30 of 2021, is amended to read as follows:

31 1. The number of incarcerated individuals released by the department  
32 to the community during the reporting period, the number of eligible  
33 [~~inmates~~] incarcerated individuals released to the community by the  
34 department during the reporting period, and the percentage of incarcer-  
35 ated individuals released to the community by the department who were  
36 eligible during the reporting period, provided that such report shall  
37 count each individual released during the reporting period only once;  
38 and

39 § 22. Subdivision a of section 9-149 of the administrative code of the  
40 city of New York, as amended by chapter 322 of the laws of 2021, is  
41 amended to read as follows:

42 a. In order to facilitate the posting of bail, the department may  
43 delay the transportation of an incarcerated individual for admission to  
44 a housing facility for not less than four and not more than 12 hours  
45 following the [~~inmate's~~] incarcerated individual's arraignment in crimi-  
46 nal court if requested by either the department or a not-for-profit  
47 corporation under contract with the city to provide pretrial and other  
48 criminal justice services, including interviewing adult defendants  
49 either before or after such persons are arraigned on criminal charges,  
50 has made direct contact with a person who reports that he or she will  
51 post bail for the incarcerated individual.

52 § 23. The section heading of section 9-154 of the administrative code  
53 of the city of New York, as added by local law number 144 of the city of  
54 New York for the year 2018, is amended to read as follows:

55 Telephone services to [~~inmates~~] incarcerated individuals.



1 § 24. The definition "correctional health authority" of subdivision a  
2 of section 9-156 of the administrative code of the city of New York, as  
3 added by local law number 21 of the city of New York for the year 2019,  
4 is amended to read as follows:

5 Correctional health authority. The term "correctional health authori-  
6 ty" means the entity responsible for the delivery of health and mental  
7 health services to [~~inmates~~] incarcerated individuals in the custody of  
8 the department.

9 § 25. The definition "cell" of section 408.1.1 of the building code of  
10 the administrative code of the city of New York, as added by section 5  
11 of part C of local law number 126 of the city of New York for the year  
12 2021, is amended to read as follows:

13 CELL. A room within a housing unit in a detention or correctional  
14 facility used to confine [~~inmates~~] incarcerated individuals or prison-  
15 ers.

16 § 26. Section E106.4.8 of appendix E of the building code of the  
17 administrative code of the city of New York, as amended by section 54 of  
18 part C of local law number 126 of the city of New York for the year  
19 2021, is amended to read as follows:

20 E106.4.8 Detention and correctional facilities. In detention and  
21 correctional facilities, where a public pay telephone is provided in a  
22 secured area used only by detainees or [~~inmates~~] incarcerated individ-  
23 uals and security personnel, then at least one TTY shall be provided in  
24 at least one secured area.

25 § 27. This act shall take effect immediately; provided, however:

26 a. that if chapter 432 of the laws of 2021 shall not have taken effect  
27 on or before such date then sections one and eleven of this act shall  
28 take effect on the same date and in the same manner as such chapter of  
29 the laws of 2021 takes effect;

30 b. that if section 8 of part NNN of chapter 59 of the laws of 2021  
31 shall not have taken effect on or before such date then section five of  
32 this act shall take effect on the same date and in the same manner as  
33 such section of such part of such chapter of the laws of 2021 takes  
34 effect;

35 c. that if chapter 93 of the laws of 2021 shall not have taken effect  
36 on or before such date then section six of this act shall take effect on  
37 the same date and in the same manner as such chapter of the laws of 2021  
38 takes effect;

39 d. that if chapter 570 of the laws of 2021 shall not have taken effect  
40 on or before such date then section eight of this act shall take effect  
41 on the same date and in the same manner as such chapter of the laws of  
42 2021 takes effect;

43 e. that if chapter 621 of the laws of 2021 shall not have taken effect  
44 on or before such date then section nine of this act shall take effect  
45 on the same date and in the same manner as such chapter of the laws of  
46 2021 takes effect;

47 f. that the amendments to subdivision 2 of section 259-i of the execu-  
48 tive law made by section fourteen of this act shall be subject to the  
49 expiration and reversion of such subdivision pursuant to subdivision d  
50 of section 74 of chapter 3 of the laws of 1995 as amended, when upon  
51 such date the provisions of section fifteen of this act shall take  
52 effect;

53 g. that the amendments to subdivision 6 of section 3502 of the public  
54 health law made by section nineteen of this act shall not affect the  
55 expiration and repeal of such subdivision and shall be deemed to expire  
56 and repeal therewith;

1 h. that the amendments to section 9-149 of the administrative code of  
2 the city of New York made by section twenty-two of this act shall not  
3 affect the expiration and repeal of such section and shall be deemed to  
4 expire and repeal therewith;

5 i. that if section 5 of part C of local law number 126 of the city of  
6 New York for the year 2021 shall not have taken effect on or before such  
7 date then section twenty-five of this act shall take effect on the same  
8 date and in the same manner as such local law of the city of New York  
9 for the year 2021 takes effect; and

10 j. that if section 54 of part C of local law number 126 of the city of  
11 New York for the year 2021 shall not have taken effect on or before such  
12 date then section twenty-six of this act shall take effect on the same  
13 date and in the same manner as such local law of the city of New York  
14 for the year 2021 takes effect.