STATE OF NEW YORK

3142

2021-2022 Regular Sessions

IN ASSEMBLY

January 22, 2021

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

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 24 of article 3 of the constitution, in relation to prohibiting involuntary employment of prisoners

Section 1. Resolved (if the Senate concur), That section 24 of article 3 of the constitution be amended to read as follows:

§ 24. [~~The legislature shall, by law, provide for the occupation and employment of prisoners sentenced to the several state prisons, penitentiaries, jails and reformatories in the state; and no~~] No person in any [~~such~~] state prison, penitentiary, jail or reformatory, shall be required or allowed to work, while under sentence thereto, at any trade, industry or occupation, wherein or whereby his or her work, or the product or profit of his or her work, shall be farmed out, contracted, given or sold to any person, firm, association or corporation, provided that the legislature may provide by law that such prisoners may voluntarily perform work for nonprofit organizations *provided that no person shall be compelled to provide labor against his or her will by actual force, threats of force, threats of punishment, threats of legal coercion or by any scheme, plan or pattern intended to cause the person to believe that, if such person did not provide such labor that such person or another person would suffer physical, emotional or mental harm or physical restraint*. As used in this section, the term "nonprofit organization" means an organization operated exclusively for religious, charitable, or educational purposes, no part of the net earnings of which inures to the benefit of any private shareholder or individual. [~~This section shall not be construed to prevent the legislature from providing that convicts may work for, and that the products of their labor may be disposed of to, the state or any political division thereof, or for or to any public institution owned or managed and controlled by the state, or any political division thereof.~~]

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

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§ 2. Resolved (if the Senate concur), That the foregoing be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be published for 3 months previous to the time of such election.