

# STATE OF NEW YORK

4546

2021-2022 Regular Sessions

## IN ASSEMBLY

February 4, 2021

Introduced by M. of A. WALKER, JEAN-PIERRE -- read once and referred to the Committee on Correction

AN ACT to amend the executive law, in relation to distributing the appointing authority of the state board of parole among the governor, senate and assembly

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

1 Section 1. Subdivision 1 of section 259-b of the executive law, as  
2 amended by section 38-a of subpart A of part C of chapter 62 of the laws  
3 of 2011, is amended to read as follows:

4 1. There shall be in the department a state board of parole [~~which~~  
5 that] shall possess the powers and duties hereinafter specified. The  
6 board shall function independently of the department regarding all of  
7 its decision-making functions, as well as any other powers and duties  
8 specified in this article, provided, however, that administrative  
9 matters of general applicability within the department shall be applica-  
10 ble to the board. [~~Such~~] On and after January first, two thousand twen-  
11 ty-three, such board shall consist of [~~not more than~~] nineteen members  
12 [~~appointed by the governor with the advice and consent of the senate~~],  
13 nine of whom shall be appointed by the governor, three of whom shall be  
14 appointed by the temporary president of the senate, three of whom shall  
15 be appointed by the speaker of the assembly, two of whom shall be  
16 appointed by the minority leader of the senate, and two of whom shall be  
17 appointed by the minority leader of the assembly. The term of office of  
18 each member of such board shall be for six years; provided, however,  
19 that any member chosen to fill a vacancy occurring otherwise than by  
20 expiration of term shall be appointed for the remainder of the unexpired  
21 term of the member whom he or she is to succeed. In the event of the  
22 inability to act of any member, the governor may appoint some competent  
23 informed person to act in his or her stead during the continuance of  
24 such disability.

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

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1 § 2. The state board of parole as constituted on the effective date of  
2 this section is hereby abolished as of January 1, 2023. Members of the  
3 state board of parole as constituted pursuant to the provisions of  
4 subdivision 1 of section 259-b of the executive law, as amended by  
5 section one of this act, shall be appointed by the appropriate state  
6 official prior to January 1, 2023, so that such board may be fully oper-  
7 ative on and after such date.

8 § 3. This act shall take effect immediately.