STATE OF NEW YORK

4763--A

Cal. No. 133

2023-2024 Regular Sessions

IN ASSEMBLY

February 23, 2023

Introduced by M. of A. PEOPLES-STOKES, BURDICK, COLTON -- read once and referred to the Committee on Correction -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the correction law, in relation to requiring that websites providing incarcerated individual information be searchable by the incarcerated individual's name, former name or alias

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

Section 1. Section 9 of the correction law, as added by section 2 of part OO of chapter 56 of the laws of 2010, the section heading as amended by chapter 322 of the laws of 2021, is amended to read as follows:

§ 9. Access to information of incarcerated individuals via the internet. Notwithstanding any provision of law to the contrary, any information relating to the conviction of a person, except for a person convicted of an offense that would make such person ineligible for merit time under section eight hundred three of this chapter or an offense for which registration as a sex offender is required as set forth in subdivision two or three of section one hundred sixty-eight-a of this chapter, that is posted on a website maintained by or for the department, under article six of the public officers law, may be posted on such website for a period not to exceed five years after the expiration of such person's sentence of imprisonment and any period of parole or post-release supervision; provided, however, that in the case of a person who has been committed to the department on more than one occasion, the department may post conviction information relating to any prior commitment on such website for a period not to exceed five years after the expiration of such person's sentence of imprisonment and any period of parole or post-release supervision arising from the most recent commitment to the department**; provided further, however, that any such website**

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

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that allows the public to search for incarcerated individual information shall be programmed in such a manner that the search may be successful by input of the incarcerated individual's current name, any former legal name or any other known alias of the incarcerated individual.

§ 2. Section 9 of the correction law, as amended by chapter 631 of the laws of 2023, is amended to read as follows:

§ 9. Access to information of incarcerated individuals via the internet. Notwithstanding any provision of law to the contrary, any information relating to the conviction of a person that is posted on a website maintained by or for the department, under article six of the public officers law, may be posted on such website for a period not to exceed three years after the expiration of such person's sentence of imprisonment and at the conclusion of any period of parole or post-release supervision**; provided further, however, that any such website that allows the public to search for incarcerated individual information shall be programmed in such a manner that the search may be successful by input of the incarcerated individual's current name, any former legal name or any other known alias of the incarcerated individual**.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that if chapter 631 of the laws of 2023 shall not have taken effect on or before such date then section two of this act shall take effect on the same date and in the same manner as such chapter of the laws of 2023, takes effect.