

# STATE OF NEW YORK

9115

## IN ASSEMBLY

February 7, 2024

Introduced by M. of A. GIBBS, BICHOTTE HERMELYN, TAYLOR -- read once and referred to the Committee on Correction

AN ACT to amend the correction law and the state finance law, in relation to providing for money upon release for certain incarcerated individuals; and making an appropriation therefor

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

1 Section 1. The correction law is amended by adding a new section 12 to  
2 read as follows:

3 § 12. Gate money program. 1. As used in this section, the following  
4 terms shall have the following meanings:

5 (a) "Program" means the gate money program established pursuant to  
6 subdivision two of this section.

7 (b) "Eligible incarcerated individual" means an incarcerated individ-  
8 ual who is released from a state correctional facility after serving a  
9 minimum of six months who has not previously received money from the  
10 program.

11 2. The commissioner shall develop a gate money program that provides  
12 for eligible incarcerated individuals to receive a monthly stipend upon  
13 release from a state correctional facility.

14 3. (a) Stipends paid to an eligible incarcerated individual pursuant  
15 to the program shall be no less than four hundred twenty-five dollars  
16 per month for a period of up to six months. The maximum aggregate  
17 amount any individual shall receive from the program is two thousand  
18 five hundred fifty dollars.

19 (b) The dollar amounts in paragraph (a) of this subdivision shall be  
20 adjusted annually for inflation as determined from the increase in the  
21 consumer price index in the one year period ending on the March thirty-  
22 first prior to the cost-of-living adjustment effective on the ensuing  
23 September first.

24 4. (a) The initial payment of a program stipend shall be made imme-  
25 diately upon release of the eligible incarcerated individual in the form  
26 of cash or a check. Such program stipend shall be in addition to any  
27 other funds to be paid or returned to such individual.

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

LBD11085-02-4

1 (b) Subsequent program stipend payments shall be made on the first of  
2 each month by the community supervision agency responsible for such  
3 individual.

4 5. The provisions of this section shall not apply to an incarcerated  
5 individual who is released to the custody of another state or the feder-  
6 al government.

7 6. Stipend payments paid pursuant to the provisions of this section  
8 shall not be taken into consideration when determining eligibility or  
9 calculating the amount of benefits for any public assistance program.

10 7. The department shall collect data on the number of incarcerated  
11 individuals participating in the program and issue a report on such data  
12 to the governor, the temporary president of the senate and the speaker  
13 of the assembly annually.

14 8. The commissioner shall promulgate any rules and regulations neces-  
15 sary for the implementation of this section.

16 § 2. The state finance law is amended by adding a new section 99-rr to  
17 read as follows:

18 § 99-rr. Gate money fund. 1. A special fund to be known as the "gate  
19 money fund" is hereby established in the custody of the state comp-  
20 troller and the commissioner of taxation and finance.

21 2. The fund shall consist of all monies appropriated, credited, or  
22 transferred to such fund pursuant to law, all monies required by any  
23 provision of law to be paid into or credited to the fund and any inter-  
24 est earnings which may accrue from the investment of monies in the fund.  
25 Nothing contained in this section shall prevent the state from receiving  
26 grants, gifts or bequests for the purposes of the fund as defined in  
27 this section and depositing them in the fund according to law.

28 3. Monies of the fund, when allocated, shall be available to the  
29 department of corrections and community supervision to provide stipends  
30 pursuant to the provisions of section twelve of the correction law.

31 4. Monies shall be payable from the fund on the audit and warrant of  
32 the comptroller on vouchers approved and certified by the commissioner  
33 of corrections and community supervision.

34 § 3. The sum of twenty-five million dollars (\$25,000,000) is hereby  
35 appropriated from any moneys in the state treasury in the general fund  
36 to the credit of the gate money fund established pursuant to section  
37 99-rr of the state finance law in carrying out the provisions of this  
38 act. Such sum shall be payable on the audit and warrant of the state  
39 comptroller on vouchers certified or approved in the manner provided by  
40 law.

41 § 4. This act shall take effect on the one hundred eightieth day after  
42 it shall have become a law. Effective immediately, the addition, amend-  
43 ment and/or repeal of any rule or regulation necessary for the implemen-  
44 tation of this act on its effective date are authorized to be made and  
45 completed on or before such effective date.