STATE OF NEW YORK

9677

IN ASSEMBLY

April 3, 2024

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

AN ACT to amend the correction law, in relation to permitting the use of portable electronic devices for making phone calls by incarcerated individuals

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

Section 1. Subdivision 2 of section 623 of the correction law, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

2. The department shall make available either a "prepaid" or "collect call" system, or a combination thereof, for telephone service. Under the "prepaid" system, funds may be deposited into an account in order to pay for station-to-station calls, provided that nothing in this subdivision shall require the department to provide or administer a prepaid system. Under a "collect call" system, call recipients are billed for the cost of an accepted telephone call initiated by an incarcerated individual. Under such "collect call" system, the provider of incarcerated individual telephone service, as an additional means of payment, must permit the recipient of incarcerated individual calls to establish an account with such provider in order to deposit funds to pay for such collect calls in advance. **The department shall include as part of its telephone service system the ability to make wireless calls utilizing portable tablet devices or other portable electronic devices. Such wireless device calls shall not substitute for regular phone call availability. The department shall make a reasonable effort to provide these wireless calls free of charge. Such wireless calls shall not be subject to higher costs than calls placed from telephones. The department shall have the same ability to impose limitations on wireless calls for incarcerated individuals as calls placed from telephones.**

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

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