

STATE OF NEW YORK

3176

2023-2024 Regular Sessions

IN SENATE

January 30, 2023

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

AN ACT to amend the correction law, in relation to certificates of relief from disabilities

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

1 Section 1. Subdivision 2 of section 702 of the correction law, as
2 amended by chapter 342 of the laws of 1972, is amended to read as
3 follows:

4 2. Such certificate shall [~~not~~] be issued by the court [~~unless~~] when
5 the court is satisfied that:

6 (a) The person to whom it is to be granted is an eligible offender, as
7 defined in section seven hundred of this article;

8 (b) The relief to be granted by the certificate is consistent with the
9 rehabilitation of the eligible offender; and

10 (c) The relief to be granted by the certificate is consistent with the
11 public interest.

12 § 2. Subdivision 3 of section 703 of the correction law, as amended by
13 section 34 of subpart B of part C of chapter 62 of the laws of 2011, is
14 amended to read as follows:

15 3. The department shall [~~not~~] issue [~~any~~] a certificate of relief from
16 disabilities pursuant to subdivisions one or two of this section,
17 [~~unless~~] when the department is satisfied that:

18 (a) The person to whom it is to be granted is an eligible offender, as
19 defined in section seven hundred of this article;

20 (b) The relief to be granted by the certificate is consistent with the
21 rehabilitation of the eligible offender; and

22 (c) The relief to be granted by the certificate is consistent with the
23 public interest.

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

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

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