STATE OF NEW YORK

7781--A

Cal. No. 369

2023-2024 Regular Sessions

IN SENATE

December 1, 2023

Introduced by Sens. HARCKHAM, JACKSON, ROLISON -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Crime Victims, Crime and Correction in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the correction law, in relation to establishing an annual heat mitigation plan; and directing the extreme heat action plan work group of the department of environmental conservation to analyze the impact of extreme heat on incarcerated individuals and people working in prisons

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

Section 1. Section 112 of the correction law is amended by adding a new subdivision 6 to read as follows:

6. (a) The commissioner shall promulgate rules and regulations to establish and maintain an annual heat mitigation plan to ensure incarcerated individuals and correctional facility staff have options available to stay cool, hydrated and safe during high heat temperatures. Such plan shall include, to the extent possible:

(i) access to industrial fans, water, ice, and additional access to showers;

(ii) commissaries fully stocked with personal fans prior to the beginning of summer;

(iii) monitoring temperatures in housing, program and industry areas;

(iv) maintaining a list of incarcerated individuals and correctional facility staff with medical conditions that make them more susceptible to heat and monitor their well-being;

(v) increased rounds and wellness checks; and

(vi) providing shade on exercise yards.

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

LBD13122-04-4

(b) The commissioner, as part of such heat mitigation plan, shall develop a timeline to establish cooling stations and provide evaporative fans to each facility.

§ 2. The extreme heat action plan work group of the department of environmental conservation shall analyze the impact of extreme heat on incarcerated individuals and people working in prisons and articulate their specific needs in such work group's long-term heat adaptation plan.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.