STATE OF NEW YORK

9946

IN SENATE

November 12, 2024

Introduced by Sen. SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the correction law, in relation to the definitions of cell and out-of-cell

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

Section 1. Section 2 of the correction law is amended by adding three new subdivisions 35, 36 and 37 to read as follows:

35. "Cell" means any room, area or space that is used or is intended to be used by an incarcerated individual for sleep; or any room, area, or space that is not a shared space conducive to meaningful congregate social interaction among many people in a group setting appropriate for the number of people in the space without physical barriers between people where a person or persons are held for any purpose; or any room, area, or space in that is not out-of-cell.

36. "Cell confinement" means being in a cell.

37. "Out-of-cell" means being in a space outside of and in an area away from a cell, in a group setting (including a group classroom, open group recreation yard, group library or law library, group contact visits room, or other equivalent space), with many other people all in the same shared space without physical barriers between people that is conducive to meaningful congregate social interaction and activity among the number of people in the space, for purposes including congregate programming, congregate recreation, congregate contact visits, congregate library services, congregate law library services, congregate jobs, congregate meals, or equivalent congregate activities; or being in a space outside of and in an area away from a cell during the time of medical treatment, individual counseling, an attorney visit, or equivalent service, in a setting conducive to the provision of such service with a person in custody in the same shared space with their service provider without physical barriers between them.

§ 2. This act shall take effect immediately.

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

LBD16390-01-4