STATE OF NEW YORK

397

2023-2024 Regular Sessions

IN ASSEMBLY

January 9, 2023

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

AN ACT to amend the correction law, in relation to establishing an optional retirement stipend for certain incarcerated individuals over sixty-two years of age

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

Section 1. Section 187 of the correction law is amended by adding a new subdivision 5 to read as follows:

5. Retirement. a. Any incarcerated individual over sixty-two years of age who has served at least five years of his or her sentence shall have the option to stop participating in programs and work assignments under this article and shall receive a monthly retirement stipend of thirty dollars.

b. The commissioner shall inform each incarcerated individual who is eligible for retirement under paragraph a of this subdivision of such individual's option to retire.

c. If an eligible individual decides to continue working and refuses the retirement stipend, the commissioner shall so note in writing.

d. Any incarcerated individual who has refused the retirement benefit under paragraph c of this subdivision may elect to stop working and receive such benefit upon thirty days written notice to the commissioner.

e. Nothing in this subdivision shall excuse an individual from completing any program required for parole release, provided, however, that an eligible individual who is waiting for an opening in such a program may stop working until such program becomes available.

§ 2. This act shall take effect one year 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 date.

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

LBD01128-01-3