

STATE OF NEW YORK

6900

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

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

AN ACT to amend the executive law, in relation to the composition of the board of parole

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

1 Section 1. Subdivision 1 of section 259-b of the executive law, as
2 amended by section 38-a of subpart A of part C of chapter 62 of the laws
3 of 2011, is amended to read as follows:

4 1. There shall be in the department a state board of parole which
5 shall possess the powers and duties hereinafter specified. The board
6 shall function independently of the department regarding all of its
7 decision-making functions, as well as any other powers and duties speci-
8 fied in this article, provided, however, that administrative matters of
9 general applicability within the department shall be applicable to the
10 board. Such board shall consist of not more than nineteen members
11 appointed by the governor with the advice and consent of the senate. Of
12 the members appointed, one shall be a current or former member of law
13 enforcement, one shall be a person who has in the past been a victim of
14 a crime or the representative of a victim of a past crime and one shall
15 be an individual who was formerly incarcerated and has satisfied all
16 conditions of post-incarceration release, including parole. The term of
17 office of each member of such board shall be for six years; provided,
18 however, that any member chosen to fill a vacancy occurring otherwise
19 than by expiration of term shall be appointed for the remainder of the
20 unexpired term of the member whom he or she is to succeed. In the event
21 of the inability to act of any member, the governor may appoint some
22 competent informed person to act in his or her stead during the contin-
23 uance of such disability; provided that any person appointed to replace
24 a member who is a current or former member of law enforcement, a past
25 victim of a crime or the representative of a victim of a past crime, or

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

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1 an individual who was formerly incarcerated shall have the same back-
2 ground as the member suffering the disability.

3 § 2. The provisions of this act shall not require the appointment of
4 additional persons to the state board of parole if the board currently
5 includes a member who is a current or former member of law enforcement,
6 a member who is a past victim of a crime or the representative of a
7 victim of a past crime, and/or a member who was formerly incarcerated;
8 provided that in the event of a vacancy by any such person or persons,
9 new members of similar background shall be appointed to replace the
10 departing members.

11 § 3. This act shall take effect immediately and shall apply to the
12 appointment or reappointment of members of the state board of parole on
13 and after such effective date.