

# STATE OF NEW YORK

1744

2023-2024 Regular Sessions

## IN SENATE

January 13, 2023

Introduced by Sens. RAMOS, BAILEY, MYRIE, SANDERS -- 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 commissaries or canteens in correctional institutions

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

1 Section 1. Section 26 of the correction law, as amended by chapter 322  
2 of the laws of 2021, is amended to read as follows:

3 § 26. [~~Establishment of commissaries~~] Commissaries or canteens in  
4 correctional institutions. 1. The commissioner may authorize the head of  
5 any institution in the department to establish a commissary or a canteen  
6 in such institution for the use and benefit of incarcerated individuals.  
7 Items sold at the commissary or canteen shall be sold at the current  
8 market rate for such items, as based upon the cost of similar items for  
9 sale in the same region as the correctional facility. The moneys  
10 received by the head of the institution as profits from the sales of the  
11 commissary or canteen shall be deposited in a special fund to be known  
12 as the commissary or canteen fund and such funds shall be used for the  
13 general purposes of the institution subject to the provisions of section  
14 fifty-three of the state finance law.

15 2. Money placed into the commissary or canteen account or fund of an  
16 incarcerated individual shall only be used by the incarcerated individ-  
17 ual for purchases at such commissary or canteen. No funds shall be  
18 removed from an incarcerated individual's commissary or canteen account  
19 or fund for a violation, as a penalty, or for any reason other than a  
20 purchase at such commissary or canteen.

21 § 2. This act shall take effect immediately.

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

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