

STATE OF NEW YORK

4061--A

2023-2024 Regular Sessions

IN SENATE

February 2, 2023

Introduced by Sens. MANNION, PALUMBO -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction -- recommitted to the Committee on Crime Victims, Crime and Correction in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the correction law, in relation to requiring that websites providing incarcerated individual information be searchable by the incarcerated individual's name, former name or alias

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

1 Section 1. Section 9 of the correction law, as added by section 2 of
2 part 00 of chapter 56 of the laws of 2010, the section heading as
3 amended by chapter 322 of the laws of 2021, is amended to read as
4 follows:
5 § 9. Access to information of incarcerated individuals via the inter-
6 net. Notwithstanding any provision of law to the contrary, any informa-
7 tion relating to the conviction of a person, except for a person
8 convicted of an offense that would make such person ineligible for merit
9 time under section eight hundred three of this chapter or an offense for
10 which registration as a sex offender is required as set forth in subdi-
11 vision two or three of section one hundred sixty-eight-a of this chap-
12 ter, that is posted on a website maintained by or for the department,
13 under article six of the public officers law, may be posted on such
14 website for a period not to exceed five years after the expiration of
15 such person's sentence of imprisonment and any period of parole or post-
16 release supervision; provided, however, that in the case of a person who
17 has been committed to the department on more than one occasion, the
18 department may post conviction information relating to any prior commit-
19 ment on such website for a period not to exceed five years after the
20 expiration of such person's sentence of imprisonment and any period of

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

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1 parole or post-release supervision arising from the most recent commit-
2 ment to the department; provided further, however, that any such website
3 that allows the public to search for incarcerated individual information
4 shall be programmed in such a manner that the search may be successful
5 by input of the incarcerated individual's current name, any former legal
6 name or any other known alias of the incarcerated individual.

7 § 2. Section 9 of the correction law, as amended by chapter 631 of the
8 laws of 2023, is amended to read as follows:

9 § 9. Access to information of incarcerated individuals via the inter-
10 net. Notwithstanding any provision of law to the contrary, any informa-
11 tion relating to the conviction of a person that is posted on a website
12 maintained by or for the department, under article six of the public
13 officers law, may be posted on such website for a period not to exceed
14 three years after the expiration of such person's sentence of imprison-
15 ment and at the conclusion of any period of parole or post-release
16 supervision; provided further, however, that any such website that
17 allows the public to search for incarcerated individual information
18 shall be programmed in such a manner that the search may be successful
19 by input of the incarcerated individual's current name, any former legal
20 name or any other known alias of the incarcerated individual.

21 § 3. This act shall take effect on the ninetieth day after it shall
22 have become a law; provided, however, that if chapter 631 of the laws of
23 2023 shall not have taken effect on or before such date then section two
24 of this act shall take effect on the same date and in the same manner as
25 such chapter of the laws of 2023, takes effect.