

# STATE OF NEW YORK

8624--A

Cal. No. 860

## IN SENATE

February 22, 2024

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the correction law, in relation to prohibiting correctional facilities from blocking entry to peer support advocates based on such advocates' prior history of incarceration

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

1 Section 1. The correction law is amended by adding a new section 138-b  
2 to read as follows:

3 § 138-b. Permitted entry by peer support advocates. Peer support advo-  
4 icates who are certified or licensed by a state agency, or a state  
5 authorized entity including the New York certification board, or a  
6 nationally recognized accrediting agency or association, and are partic-  
7 ipating in the provision of corrections-based substance use disorder  
8 treatment and transition services, including but not limited to medica-  
9 tion assistant treatment, pursuant to section 19.18-c of the mental  
10 hygiene law, shall not be unreasonably denied entry into correctional  
11 facilities solely based on such advocates' history of prior incarceration.  
12

13 § 2. This act shall take effect on the sixtieth day after it shall  
14 have become a law. Effective immediately, the addition, amendment and/or  
15 repeal of any rule or regulation necessary for the implementation of  
16 this act on its effective date are authorized to be made and completed  
17 on or before such effective date.

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

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