

# STATE OF NEW YORK

11320

## IN ASSEMBLY

May 11, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Otis) --  
read once and referred to the Committee on Correction

AN ACT to amend the executive law and the correction law, in relation to  
prohibiting the use of artificial intelligence in parole determi-  
nations and the development transitional accountability plans

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

1 Section 1. Subdivision 4 of section 259-c of the executive law, as  
2 amended by chapter 322 of the laws of 2021, is amended to read as  
3 follows:

4 4. establish written procedures for its use in making parole decisions  
5 as required by law. Such written procedures shall incorporate risk and  
6 needs principles to measure the rehabilitation of persons appearing  
7 before the board, the likelihood of success of such persons upon  
8 release, and assist members of the state board of parole in determining  
9 which incarcerated individuals may be released to parole supervision;  
10 provided, however, that the department may not use "artificial intelli-  
11 gence" as defined by section seventeen hundred of the general business  
12 law, an "artificial intelligence model" as defined by section fourteen  
13 hundred twenty of the general business law, or an "artificial intelli-  
14 gence system" as defined by section one hundred three-e of the state  
15 technology law in evaluating the risk and needs principles used to meas-  
16 ure the rehabilitation of persons appearing before the board, in deter-  
17 mining which incarcerated individuals may be released to parole super-  
18 vision, or in determining the level of supervision for persons who are  
19 released on parole; provided further, however, that each person approved  
20 for release and the level of supervision assigned to such person shall  
21 be approved in writing by the board of parole or its designee;

22 § 2. Section 71-a of the correction law, as amended by chapter 322 of  
23 the laws of 2021, is amended to read as follows:

24 § 71-a. Transitional accountability plan. Upon admission of an incar-  
25 cerated individual committed to the custody of the department under an  
26 indeterminate or determinate sentence of imprisonment, the department  
27 shall develop a transitional accountability plan. Such plan shall be a

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

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1 comprehensive, dynamic and individualized case management plan based on  
2 the programming and treatment needs of the incarcerated individual. The  
3 purpose of such plan shall be to promote the rehabilitation of the  
4 incarcerated individual and their successful and productive reentry and  
5 reintegration into society upon release. To that end, such plan shall be  
6 used to prioritize programming and treatment services for the incarcer-  
7 ated individual during incarceration and any period of community super-  
8 vision. The commissioner may consult with the office of mental health,  
9 the office of alcoholism and substance abuse services, the board of  
10 parole, the department of health, and other appropriate agencies in the  
11 development of transitional case management plans; provided, however,  
12 that the department may not use "artificial intelligence" as defined by  
13 section seventeen hundred of the general business law, an "artificial  
14 intelligence model" as defined by section fourteen hundred twenty of the  
15 general business law or an "artificial intelligence system" as defined  
16 by section one hundred three-e of the state technology law in the devel-  
17 opment of the plan required pursuant to this section and, provided  
18 further, however, that each plan developed for an incarcerated individ-  
19 ual pursuant to this section shall be approved in writing by the commis-  
20 sioner or the commissioner's designee.  
21 § 3. This act shall take effect immediately.