STATE OF NEW YORK

6651

2025-2026 Regular Sessions

IN ASSEMBLY

March 6, 2025

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

AN ACT to amend the correction law and the civil practice law and rules, in relation to the evidentiary standard for evidentiary and disciplinary hearings

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

Section 1. Section 137 of the correction law is amending by adding a new subdivision 7 to read as follows:

7. The evidentiary standard for all evidentiary and disciplinary hearings shall be a preponderance of the evidence.

§ 2. Subdivision 4 of section 7803 of the civil practice law and rules is amended to read as follows:

4. whether a determination made as a result of a hearing held, and at which evidence was taken, pursuant to direction by law is, on the entire record, supported by substantial evidence**, or in the case of an evidentiary or disciplinary hearing held pursuant to the correction law, a preponderance of the evidence**.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law.

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

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