STATE OF NEW YORK

7880

2025-2026 Regular Sessions

IN ASSEMBLY

April 11, 2025

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

AN ACT to amend the correction law, in relation to requiring the state to pay for independent autopsies of incarcerated individuals who die in custody

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

Section 1. Section 16 of the correction law is amended by adding a new subdivision 3 to read as follows:

3. The reasonable expense of an independent autopsy requested by the next of kin of an incarcerated individual whose death occurred in the custody of the department shall, to the extent not otherwise reimbursed by the state, be a state charge. Reimbursement of such expense shall be made on vouchers submitted annually and certified by the chief fiscal officer of the county or city as the case may be on the audit and warrant of the comptroller. The next of kin of an incarcerated individual whose death occurred in the custody of the department may request and shall be granted such independent autopsy after the receipt of a death certificate pursuant to subdivision two of this section.

§ 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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