STATE OF NEW YORK

1806

2025-2026 Regular Sessions

IN SENATE

January 14, 2025

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

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:

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

§ 138-b. Permitted entry by peer support advocates. Peer support advocates who are certified or licensed by a state agency, or a state authorized entity including the New York certification board, or a nationally recognized accrediting agency or association, and are participating in the provision of corrections-based substance use disorder treatment and transition services, including but not limited to medication assistant treatment, pursuant to section 19.18-c of the mental hygiene law, shall not be unreasonably denied entry into correctional facilities soley based on such advocates' history of prior incarceration.

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