

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:

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 cates 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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