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 determinations and the development transitional accountability plans

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

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

4. establish written procedures for its use in making parole decisions as required by law. Such written procedures shall incorporate risk and needs principles to measure the rehabilitation of persons appearing before the board, the likelihood of success of such persons upon release, and assist members of the state board of parole in determining which incarcerated individuals may be released to parole supervision**; provided, however, that the department may not use "artificial intelligence" as defined by section seventeen hundred of the general business law, an "artificial intelligence model" as defined by section fourteen hundred twenty of the general business law, or an "artificial intelligence system" as defined by section one hundred three-e of the state technology law in evaluating the risk and needs principles used to measure the rehabilitation of persons appearing before the board, in determining which incarcerated individuals may be released to parole supervision, or in determining the level of supervision for persons who are released on parole; provided further, however, that each person approved for release and the level of supervision assigned to such person shall be approved in writing by the board of parole or its designee**;

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

§ 71-a. Transitional accountability plan. Upon admission of an incarcerated individual committed to the custody of the department under an indeterminate or determinate sentence of imprisonment, the department 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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comprehensive, dynamic and individualized case management plan based on the programming and treatment needs of the incarcerated individual. The purpose of such plan shall be to promote the rehabilitation of the incarcerated individual and their successful and productive reentry and reintegration into society upon release. To that end, such plan shall be used to prioritize programming and treatment services for the incarcerated individual during incarceration and any period of community supervision. The commissioner may consult with the office of mental health, the office of alcoholism and substance abuse services, the board of parole, the department of health, and other appropriate agencies in the development of transitional case management plans**; provided, however, that the department may not use "artificial intelligence" as defined by section seventeen hundred of the general business law, an "artificial intelligence model" as defined by section fourteen hundred twenty of the general business law or an "artificial intelligence system" as defined by section one hundred three-e of the state technology law in the development of the plan required pursuant to this section and, provided further, however, that each plan developed for an incarcerated individual pursuant to this section shall be approved in writing by the commissioner or the commissioner's designee**.

§ 3. This act shall take effect immediately.