STATE OF NEW YORK

11382

IN ASSEMBLY

May 15, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Burroughs) -- (at request of the Unified Court System) -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to increasing access to certificates of relief from disabilities and to emphasize that certificates of relief may be issued at the time of sentencing

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

Section 1. Subdivision 1 of section 702 of the correction law, as amended by chapter 488 of the laws of 2011, is amended to read as follows:

1. Any court of this state [~~may, in its discretion,~~] **shall** issue a certificate of relief from disabilities to an eligible offender for a conviction that occurred in such court, if the court either (a) imposed a revocable sentence or (b) imposed a sentence other than one executed by commitment to an institution under the jurisdiction of the state department of corrections and community supervision**, and determines that the requirements of subdivision two of this section have been satisfied**. Such certificate [~~may~~] **shall** be issued [~~(i)~~] at the time sentence is pronounced, in which case it may grant relief from forfeitures, as well as from disabilities, [~~or (ii)~~] **provided, however, that if the court has not determined a certificate of relief from all disabilities is warranted at the time sentence is pronounced, a certificate of relief from disabilities shall be issued** at any time thereafter **the court determines the requirements of this section have been satisfied**, in which case it shall apply only to disabilities. Where such court either imposes a revocable sentence or imposes a sentence other than one executed by commitment to an institution under the jurisdiction of the state department of corrections and community supervision, the court, upon application and in accordance with subdivision two of this section, shall initially determine the fitness of an eligible offender for such certificate prior to or at the time sentence is pronounced.

§ 2. This act shall take effect on the sixtieth 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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