

STATE OF NEW YORK

4603--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 4, 2025

Introduced by M. of A. WEPRIN, WALKER, REYES, CRUZ, HUNTER, TAYLOR, BURDICK, GONZALEZ-ROJAS, JACKSON, BARRETT, GIBBS, DAVILA, KELLES, SIMONE, SEPTIMO, TAPIA, BURKE, CUNNINGHAM, CLARK, MEEKS, SHIMSKY, HEVESI, DINOWITZ, SIMON, ZACCARO, ANDERSON, BICHOTTE HERMELYN, LEVENBERG, BORES, ROSENTHAL, GALLAGHER, CHANDLER-WATERMAN, HYNDMAN, SEAWRIGHT, SHRESTHA, FORREST, MITAYNES, ZINERMAN, RAGA, PAULIN, DILAN, BURROUGHS, WRIGHT, VALDEZ, WIEDER, SOLAGES, ALVAREZ, BENEDETTO, LASHER, LAVINE, BRONSON, VANEL, ROMERO, STECK, DAIS, LUCAS, LUNSFORD, RAMOS, COOK, R. CARROLL, WOERNER, HOOKS, MORENO -- read once and referred to the Committee on Correction -- reported and referred to the Committee on Ways and Means -- recommitted to the Committee on Ways and Means in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the correction law, in relation to the establishment of visiting policies for incarcerated individuals

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-c
2 to read as follows:

3 § 138-c. Visiting policies for the incarcerated. 1. State and local
4 correctional facilities shall establish visiting policies which give
5 incarcerated individuals opportunities for in-person contact with their
6 relatives, children, friends, clergy, volunteers and other persons to
7 promote individual transformation, better institutional adjustment and
8 better community adjustment upon release. Such program shall include,
9 but not be limited to, (a) visiting hours that are reasonably likely to
10 accommodate persons traveling from within the state, including evening
11 hours starting at six o'clock p.m. and/or weekend hours, (b) visits of
12 sufficient duration, including a minimum of one hour at local correc-
13 tional facilities so that visitors and incarcerated individuals will be

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 able to maintain relationship bonds, and (c) a published overcrowding
2 policy that is equitable with due consideration to the distance traveled
3 by the visitor, the frequency of the visitor's visits, the most recent
4 occasion that the incarcerated individual's visit was terminated due to
5 overcrowding, and any other individual circumstances that limit in-per-
6 son visits between the incarcerated individuals and the visitor.

7 2. Video conferencing may supplement, but shall not take the place of,
8 in-person visits. For the purposes of this section, video conferencing
9 or other technologies that enable remote visitation shall not count
10 toward the required number of visits or duration of visitation that any
11 facility must offer to incarcerated individuals by law or regulation.

12 3. No incarcerated individual is to be visited against such incarcer-
13 ated individual's will by any person.

14 § 2. This act shall take effect on the one hundred twentieth day after
15 it shall have become a law.