STATE OF NEW YORK

9362

2025-2026 Regular Sessions

IN ASSEMBLY

December 19, 2025

Introduced by M. of A. JENSEN -- read once and referred to the Committee on Correction

AN ACT to amend the executive law, in relation to requiring community service as a condition of release of incarcerated individuals due to prison staffing shortages

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

Section 1. The executive law is amended by adding a new section 162-a to read as follows:

§ 162-a. Conditions for certain clemency releases. 1. Notwithstanding any law to the contrary, in the event the governor exercises the executive clemency power to release incarcerated individuals in advance of such individuals' scheduled release dates on the sole basis of prison staff shortages, such individuals shall, as a condition of release, participate in community service programs including, but not limited to, litter removal, for a period of time to be determined by the courts.

2. Community services shall not be performed by individuals pursuant to this section if such performance would displace employed workers or impair existing contracts for services.

3. The requirements of this section shall not apply to individuals who:

(a) have received official pardons from the governor or the president of the United States;

(b) have been released from incarceration pursuant to conditional release or other alternative programs administered by the courts or the department of corrections;

(c) have been granted parole by the parole board; or

(d) have been released after completing a determinate sentence.

4. A court may, in its discretion, waive or substitute the requirements of this section if an individual to be released is unable to comply due to disability, including old age, substance abuse treatment, or other reasonable limitation as determined by the court.

§ 2. This act shall take effect immediately.

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

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