

STATE OF NEW YORK

4422

2025-2026 Regular Sessions

IN SENATE

February 4, 2025

Introduced by Sen. STEC -- 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 and the public health law, in relation to the use of body scanners at correctional facilities

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. Body imaging scanners. 1. Every correctional facility shall
4 require all visitors of such correctional facility to be scanned by body
5 imaging scanning equipment in accordance with subdivision six of section
6 thirty-five hundred two of the public health law before entering such
7 correctional facility.

8 2. All incarcerated individuals shall be scanned by body imaging scan-
9 ning equipment in accordance with subdivision six of section thirty-five
10 hundred two of the public health law upon intake into the facility and
11 following any visitation.

12 3. For purposes of this section "body imaging scanning equipment"
13 shall have the same meaning as defined in paragraph (d) of subdivision
14 six of section thirty-five hundred two of the public health law.

15 § 2. Subparagraph (iii) of paragraph (a) of subdivision 6 of section
16 3502 of the public health law, as amended by section 1 of part LL of
17 chapter 56 of the laws of 2023, is amended to read as follows.

18 (iii) The utilization of such body imaging scanning equipment shall be
19 in accordance with regulations promulgated by the department, or for
20 local correctional facilities in cities having a population of two
21 million or more, such utilization shall be in accordance with regu-
22 lations promulgated by the New York city department of health and mental
23 hygiene. The state commission of correction, in consultation with the
24 department of corrections and community supervision, shall promulgate

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

LBD08858-01-5

1 regulations establishing when body imaging scanning equipment will be
2 used to screen visitors and incarcerated individuals in state correc-
3 tional facilities. Such regulations shall include provisions establish-
4 ing that alternative methods of screening may be used to accommodate
5 individuals who [~~decline or~~] are unable to be screened by body imaging
6 scanning equipment for medical reasons [~~and that alternative methods of~~
7 ~~screening may be used to accommodate individuals who decline to be~~
8 ~~screened for other reasons, unless security considerations warrant~~
9 ~~otherwise. Such regulations shall also ensure that no person shall be~~
10 ~~subjected to any form of harassment, intimidation, or disciplinary~~
11 ~~action for choosing to be searched by an alternative method of screening~~
12 ~~in lieu of body imaging scanning]. Nothing in this section shall prohib-
13 it the department from denying visitation to any person who declines for
14 reasons other than medical reasons.~~

15 § 3. This act shall take effect immediately; provided, however, the
16 amendments to subdivision 6 of section 3502 of the public health law as
17 made by section two of this act shall not affect the repeal of such
18 subdivision and shall be deemed repealed therewith.