

# STATE OF NEW YORK

5802

2025-2026 Regular Sessions

## IN SENATE

March 3, 2025

Introduced by Sens. SEPULVEDA, COMRIE -- 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 executive law, in relation to incarcerated individual  
interviews by the state board of parole

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

1 Section 1. Subparagraph (i) of paragraph (a) of subdivision 2 of  
2 section 259-i of the executive law, as amended by section 14 of chapter  
3 486 of the laws of 2022, is amended to read as follows:  
4 (i) Except as provided in subparagraph (ii) of this paragraph, at  
5 least one month prior to the date on which an incarcerated individual  
6 may be paroled pursuant to subdivision one of section 70.40 of the penal  
7 law, a member or members as determined by the rules of the board shall  
8 [~~personally~~] conduct an in-person interview of such incarcerated indi-  
9 vidual in the correctional facility where such incarcerated individual  
10 is housed and determine whether [~~he or she~~] such incarcerated individual  
11 should be paroled in accordance with the guidelines adopted pursuant to  
12 subdivision four of section two hundred fifty-nine-c of this article. If  
13 parole is not granted upon such review, the incarcerated individual  
14 shall be informed in writing within two weeks of such appearance of the  
15 factors and reasons for such denial of parole. Such reasons shall be  
16 given in detail and not in conclusory terms. The board shall specify a  
17 date not more than twenty-four months from such determination for recon-  
18 sideration, and the procedures to be followed upon reconsideration shall  
19 be the same. If the incarcerated individual is released, [~~he or she~~]  
20 such incarcerated individual shall be given a copy of the conditions of  
21 parole. Such conditions shall where appropriate, include a requirement  
22 that the parolee comply with any restitution order, mandatory surcharge,  
23 sex offender registration fee and DNA databank fee previously imposed by  
24 a court of competent jurisdiction that applies to the parolee. The

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

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1 conditions shall indicate which restitution collection agency estab-  
2 lished under subdivision eight of section 420.10 of the criminal proce-  
3 dure law, shall be responsible for collection of restitution, mandatory  
4 surcharge, sex offender registration fees and DNA databank fees as  
5 provided for in section 60.35 of the penal law and section eighteen  
6 hundred nine of the vehicle and traffic law. If the incarcerated indi-  
7 vidual is released, [~~he or she~~] such incarcerated individual shall also  
8 be notified in writing that [~~his or her~~] such incarcerated individual's  
9 voting rights will be restored upon release.

10 § 2. Paragraph (a) of subdivision 2 of section 259-i of the executive  
11 law, as amended by section 15 of chapter 486 of the laws of 2022, is  
12 amended to read as follows:

13 (a) At least one month prior to the expiration of the minimum period  
14 or periods of imprisonment fixed by the court or board, a member or  
15 members as determined by the rules of the board shall [~~personally~~]  
16 conduct an in-person interview of an incarcerated individual serving an  
17 indeterminate sentence in the correctional facility where such incarcer-  
18 ated individual is housed and determine whether [~~he or she~~] such incar-  
19 cerated individual should be paroled at the expiration of the minimum  
20 period or periods in accordance with the procedures adopted pursuant to  
21 subdivision four of section two hundred fifty-nine-c of this article. If  
22 parole is not granted upon such review, the incarcerated individual  
23 shall be informed in writing within two weeks of such appearance of the  
24 factors and reasons for such denial of parole. Such reasons shall be  
25 given in detail and not in conclusory terms. The board shall specify a  
26 date not more than twenty-four months from such determination for recon-  
27 sideration, and the procedures to be followed upon reconsideration shall  
28 be the same. If the incarcerated individual is released, [~~he or she~~]  
29 such incarcerated individual shall be given a copy of the conditions of  
30 parole. Such conditions shall where appropriate, include a requirement  
31 that the parolee comply with any restitution order and mandatory  
32 surcharge previously imposed by a court of competent jurisdiction that  
33 applies to the parolee. The conditions shall indicate which restitution  
34 collection agency established under subdivision eight of section 420.10  
35 of the criminal procedure law, shall be responsible for collection of  
36 restitution and mandatory surcharge as provided for in section 60.35 of  
37 the penal law and section eighteen hundred nine of the vehicle and traf-  
38 fic law. If the incarcerated individual is released, [~~he or she~~] such  
39 incarcerated individual shall also be notified in writing that [~~his or~~  
40 ~~her~~] such incarcerated individual's voting rights will be restored upon  
41 release.

42 § 3. This act shall take effect one year after the date on which it  
43 shall have become a law; provided, that the amendments to paragraph (a)  
44 of subdivision 2 of section 259-i of the executive law made by section  
45 one of this act shall be subject to the expiration and reversion of such  
46 subdivision pursuant to subdivision d of section 74 of chapter 3 of the  
47 laws of 1995, as amended, when upon such date the provisions of section  
48 two of this act shall take effect.