

STATE OF NEW YORK

961

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. GALLIVAN, BORRELLO, HELMING, OBERACKER, PALUMBO, RHOADS -- 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, in relation to the subpoena power of the commissioner of the department of corrections and community supervision

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

1 Section 1. Subdivision 3 of section 112 of the correction law, as
2 amended by section 19 of subpart A of part C of chapter 62 of the laws
3 of 2011, is amended to read as follows:

4 3. The commissioner may require reports from the superintendent or any
5 other officer or employee of the department assigned to any correctional
6 facility or to perform community supervision in relation to ~~[his or her]~~
7 conduct as such officer or employee, and shall have the power to inquire
8 into any improper conduct which may be alleged to have been committed by
9 any person at any correctional facility or in the course of ~~[his or her]~~
10 performance of community supervision, and for that purpose to issue
11 subpoenas to compel the attendance of witnesses, and the production
12 before ~~[him or her]~~ such person of books, writings and papers. A subpoena
13 issued under this section shall be regulated by the civil practice
14 law and rules, provided, however, any officer or employee of the department whose personal information is the subject of a subpoena duces tecum shall be provided written notice of such subpoena duces tecum within five business days of the commissioner issuing such subpoena.

18 § 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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