

S T A T E O F N E W Y O R K

7231--C

2005-2006 Regular Sessions

I N A S S E M B L Y

April 11, 2005

Introduced by M. of A. AUBRY, ESPAILLAT, MILLMAN, BOYLAND, BENJAMIN, P. RIVERA, R. DIAZ, MENG, ORTIZ, FIELDS, NOLAN, ZEBROWSKI, PEOPLES -- Multi-Sponsored by -- M. of A. ARROYO, A. COHEN, FARRELL, GOTTFRIED, HEASTIE, LENTOL, MARKEY, McENENY, McLAUGHLIN -- read once and referred to the Committee on Correction -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules -- recommitted to the Committee on Rules in accordance with Assembly Rule 3, sec. 2 -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the correction law, in relation to inmate telephone services

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 622
2 to read as follows:
3 S 622. INMATE TELEPHONE SERVICES. 1. TELEPHONE SERVICES CONTRACTS FOR
4 INMATES IN STATE CORRECTIONAL FACILITIES SHALL BE SUBJECT TO THE
5 PROCUREMENT PROVISIONS AS SET FORTH IN ARTICLE ELEVEN OF THE STATE
6 FINANCE LAW PROVIDED, HOWEVER, THAT WHEN DETERMINING THE BEST VALUE OF
7 SUCH TELEPHONE SERVICE, COST TO THE TELEPHONE USER SHALL BE EMPHASIZED.
8 2. THE DEPARTMENT SHALL OFFER INMATES EITHER A "DEBIT" OR "COLLECT
9 CALL" SYSTEM, OR A COMBINATION THEREOF, FOR TELEPHONE SERVICE. UNDER THE
10 "DEBIT" SYSTEM, FUNDS MAY BE DEPOSITED INTO AN INMATE'S ACCOUNT IN ORDER
11 TO PAY FOR STATION-TO-STATION CALLS. A "COLLECT CALL" SYSTEM SHALL
12 PROVIDE THE LOWEST MARKET RATES AVAILABLE FOR THE RECEIVER OF SUCH
13 CALLS.
14 3. THE DEPARTMENT SHALL NOT ACCEPT OR RECEIVE REVENUE IN EXCESS OF ITS
15 REASONABLE OPERATING COST FOR ESTABLISHING AND ADMINISTERING SUCH TELE-

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
{ } is old law to be omitted.

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A. 7231--C

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1 PHONE SYSTEM SERVICES AS PROVIDED IN SUBDIVISIONS ONE AND TWO OF THIS
2 SECTION.

3 4. THE DEPARTMENT SHALL ESTABLISH RULES AND REGULATIONS OR DEPART-
4 MENTAL PROCEDURES TO ENSURE THAT ANY INMATE PHONE CALL SYSTEM ESTAB-
5 LISHED BY THIS SECTION PROVIDES REASONABLE SECURITY MEASURES TO SAFE-
6 GUARD THE SECURITY AND PRIVACY OF CORRECTIONAL FACILITY STAFF AND
7 PERSONS OUTSIDE A FACILITY WHO MAY RECEIVE INMATE PHONE CALLS.

8 S 2. This act shall take effect immediately; provided, however, that
9 section one of this act shall take effect April 1, 2006 and shall apply
10 to any new or renewal contract for inmate telephone services entered
11 into on or after such date and provided further that any new or renewal
12 contract for inmate telephone services entered into prior to April 1,
13 2006 shall not run past March 31, 2006.