

RULE REVIEW

State Commission of Correction

Five Year Review of Rules Adopted by the State Commission of Correction in Calendar Years 1999, 2009, 2004 and 2014 Required to be Reviewed in Calendar Year 2019

As required by Chapter 262 of the Laws of 1996, the following is a list of rules which were adopted by the State Commission of Correction in calendar years 1999, 2009, and 2014 which must be reviewed in calendar year 2019. There were no rules that were adopted in 2004. Public comment on the continuation or modification of these rules was invited. No Comments were received. Based upon the belief that said rules further the Commission's mission to provide for a safe, stable and humane correctional system in New York State, and absent public comment to the contrary, the Commission has determined and hereby gives notice pursuant to State Administrative Procedure Act § 207(4) that the rules listed below shall continue without modification.

CMC-12-99-00013-A Amendment of subdivision (a) of section 7032.2 and addition of a new subdivision (c) to section 7006.9 of Title 9 NYCRR

Analysis of the need for the rule: The rule is needed to authorize local correctional facilities to impose a disciplinary surcharge, not to exceed \$25, upon inmates found guilty of misbehavior and addition of surcharges as a non-grievable issue.

Legal basis for the rule: Correction Law sections 45(6) and 42(b)(1).

CMC-17-99-00003-P Repeal of section 7009.7, renumbering of section 7009.8 to 7009.7, amendment of section 7009.2, amendment of subdivision (a) of paragraph (1) of section 7009.5 and amendment of subdivision (a) of section 7009.6 of Title 9 NYCRR

Analysis of the need for the rule: The rule is needed to streamline the provisions and ensure that prisoners are provided with nutritionally adequate diets.

Legal basis for the rule: Correction Law section 45(6).

CMC-44-98-00008-P Renumber Part 7400 of Title 9 NYCRR to Part 7202 of Title 9 NYCRR, Redesignated Chapters III and IV of Title 9 NYCRR to Chapters IV and V of Title 9 NYCRR, respectively, designating Parts 7400 to 7499 of Title 9 NYCRR as Chapter III and amendment of subparagraph (i) of paragraph (3) of subdivision (c) of section 7202.4, as renumbered

Analysis of the need for the rule: The rule is needed to establish a new Chapter III of Title 9 NYCRR for Minimum Standards and Regulations for Management of Office of Children and Family Services' Secure Facilities for Juvenile Offenders.

Legal basis for the rule: Correction Law section 45(6-b).

CMC-31-09-00005-P Amendment of Part 7016 and the addition of section 7016.2 of Title 9 NYCRR

Analysis of the need for the rule: The rule is needed to allow for automated and electronic deposits to inmate institutional fund accounts in county correctional facilities.

Legal basis for the rule: Correction Law section 45(6) and 45(15).

CMC-10-09-00001-P Addition of new Chapter III of Subtitle AA of Title 9 NYCRR

Analysis of the need for the rule: The rule is needed to enact minimum standards and regulations for the management of secure facilities operated by Office of Children and Family Services.

Legal basis for the rule: Correction Law section 45(6-b) and 45(10).

CMC-36-14-00013-A Amendment of sections 7013.4 and 7013.6 of Title 9 NYCRR

Analysis of the need for the rule: The rule is needed to conform Commission of Correction inmate classification regulations to the amended provision of Correction Law.

Legal basis for the rule: Correction Law sections 45(6), 45(15) and 500-(b)(6).

