

1829--A

2011-2012 Regular Sessions

I N   S E N A T E

January 13, 2011

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Introduced by Sen. SKELOS -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction -- recommitted to the Committee on Crime Victims, Crime and Correction in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the correction law, in relation to requiring sex offenders to verify their registration with the sex offender registry on a biannual basis

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 4 of section 168-b of the correction law, as  
2     added by chapter 192 of the laws of 1995, is amended to read as follows:  
3     4. The division shall, UPON A DIFFERENT RANDOM DATE DURING EACH SIX  
4     MONTH PERIOD OF THE CALENDAR YEAR, mail a nonforwardable verification  
5     form to the last reported address of the person for [annual] BIENNIAL  
6     verification requirements.  
7     S 2. The opening paragraph of subdivision 2 of section 168-f of the  
8     correction law, as added by chapter 192 of the laws of 1995, is amended  
9     to read as follows:  
10    For a sex offender required to register under this article [on each  
11    anniversary of the sex offender's initial registration date] UPON  
12    RECEIPT OF EACH RANDOMLY MAILED BIENNIAL VERIFICATION FORM during the  
13    period in which he is required to register under this section the  
14    following applies:  
15    S 3. Subdivision 2 of section 168-g of the correction law, as amended  
16    by section 18 of subpart B of part C of chapter 62 of the laws of 2011,  
17    is amended to read as follows:  
18    2. Every sex offender who on the effective date of this article is  
19    then on community supervision or probation for an offense provided for

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

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1 in subdivision two or three of section one hundred sixty-eight-a of this  
2 article shall within ten calendar days of such determination register  
3 with his parole or probation officer. [On each anniversary of] ON AND  
4 AFTER the sex offender's initial registration date [thereafter], the  
5 provisions of section one hundred sixty-eight-f of this article shall BE  
6 DEEMED TO apply TO SUCH OFFENDER. Any sex offender who fails or refuses  
7 to so comply shall be subject to the same penalties as otherwise  
8 provided for in this article which would be imposed upon a sex offender  
9 who fails or refuses to so comply with the provisions of this article on  
10 or after such effective date.

11 S 4. Subdivisions 1 and 2 of section 168-h of the correction law, as  
12 amended by chapter 1 of the laws of 2006, are amended to read as  
13 follows:

14 1. The duration of registration and verification for a sex offender  
15 who has not been designated a sexual predator, or a sexually violent  
16 offender, or a predicate sex offender, and who is classified as a level  
17 one risk, or who has not yet received a risk level classification, shall  
18 be [annually] BIANNUALLY for a period of twenty years from the initial  
19 date of registration.

20 2. The duration of registration and verification for a sex offender  
21 who, on or after March eleventh, two thousand two, is designated a sexu-  
22 al predator, or a sexually violent offender, or a predicate sex offen-  
23 der, or who is classified as a level two or level three risk, shall be  
24 [annually] BIANNUALLY for life. Notwithstanding the foregoing, a sex  
25 offender who is classified as a level two risk and who is not designated  
26 a sexual predator, a sexually violent offender or a predicate sex offen-  
27 der, may be relieved of the duty to register and verify as provided by  
28 subdivision one of section one hundred sixty-eight-o of this article.

29 S 5. This act shall take effect on the first of January next succeed-  
30 ing the date on which it shall have become a law, provided that any  
31 rules, regulations and forms necessary to implement the provisions of  
32 this act on its effective date are authorized and directed to be  
33 completed on or before such date.