

STATE OF NEW YORK

9991

IN ASSEMBLY

March 7, 2018

Introduced by M. of A. THIELE, MURRAY -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to child and victim safety zones

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

1 Section 1. Section 168-w of the correction law, as relettered by chap-
2 ter 604 of the laws of 2005, is renumbered section 168-x and a new
3 section 168-w is added to read as follows:

4 § 168-w. Child and victim safety zones. Local or state law enforcement
5 agencies, or their designees may monitor and verify registration compli-
6 ance and counties, may enact by local law or resolution requirements
7 for: 1. sex offenders to provide information to law enforcement or their
8 designee to verify home and employment address which have been regis-
9 tered pursuant to the provisions of this article; 2. sex offenders
10 registered as homeless to provide a description of their location every
11 twenty-four hours to law enforcement or its designee in that jurisdic-
12 tion; and/or 3. sex offender residency restrictions for sex offenders
13 required to register pursuant to this article who are classified as a
14 level three risk and/or, who committed an offense against a minor and/or
15 who have been assigned a designation pursuant to this article, provided
16 that such restrictions:

17 (a) do not require a sex offender to live beyond one thousand feet
18 from public, private and charter schools for all level three regis-
19 trants, for registrants who committed an offense against a minor, and
20 for registrants who have been assigned a designation pursuant to this
21 article;

22 (b) do not require a sex offender to live beyond a quarter mile from
23 the workplace and residence of any registrant's victim or victims; and

24 (c) do not require a sex offender who caused the death of his or her
25 victim to live beyond a quarter mile from the prior residence of the
26 deceased victim, if the spouse, child, step child, sibling, parent,
27 grandparent or grandchild of the victim continues to reside at that
28 residence.

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

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1 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
2 sion, section or part of this act shall be adjudged by any court of
3 competent jurisdiction to be invalid, such judgment shall not affect,
4 impair, or invalidate the remainder thereof, but shall be confined in
5 its operation to the clause, sentence, paragraph, subdivision, section
6 or part thereof directly involved in the controversy in which such judg-
7 ment shall have been rendered. It is hereby declared to be the intent of
8 the legislature that this act would have been enacted even if such
9 invalid provisions had not been included herein.

10 § 3. This act shall take effect on the sixtieth day after it shall
11 have become a law and shall apply to all sex offenders registered or
12 required to register immediately prior to the effective date of this
13 act, or who are required to register on or after such date.