

STATE OF NEW YORK

5068

2017-2018 Regular Sessions

IN SENATE

March 6, 2017

Introduced by Sen. GALLIVAN -- (at request of the Office of Court Administration) -- 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 definition of a "sex offense"

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

1 Section 1. Paragraph (a) of subdivision 2 of section 168-a of the
2 correction law, as amended by chapter 405 of the laws of 2008, subpara-
3 graph (i) as amended by chapter 368 of the laws of 2015, is amended to
4 read as follows:

5 (a) (i) a conviction of or a conviction for an attempt to commit any
6 of the provisions of sections 120.70, 130.20, 130.25, 130.30, 130.40,
7 130.45, 130.60, 230.34, 250.50, 255.25, 255.26 and 255.27 or article two
8 hundred sixty-three of the penal law, or section 135.05, 135.10, 135.20
9 or 135.25 of such law relating to kidnapping offenses, provided the
10 victim of such kidnapping or related offense is less than seventeen
11 years old and the offender is not the parent of the victim, or a sexual-
12 ly motivated felony defined in section 130.91 of the penal law, or
13 section 230.04, where the person patronized is in fact less than seven-
14 teen years of age, 230.05, 230.06, 230.11, 230.12, 230.13, subdivision
15 two of section 230.30, section 230.32, 230.33, or 230.34 of the penal
16 law, or section 230.25 of the penal law where the person prostituted is
17 in fact less than seventeen years old, or (ii) a conviction of or a
18 conviction for an attempt to commit any of the provisions of section
19 235.22 of the penal law, or (iii) a conviction of or a conviction for an
20 attempt to commit any provisions of the foregoing sections committed or
21 attempted as a hate crime defined in section 485.05 of the penal law or
22 as a crime of terrorism defined in section 490.25 of such law [~~or as a~~
23 ~~sexually motivated felony defined in section 130.91 of such law~~]; or

24 § 2. This act shall take effect on the ninetieth day after it shall
25 have become a law.

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

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