

STATE OF NEW YORK

7830

2025-2026 Regular Sessions

IN SENATE

May 9, 2025

Introduced by Sen. SCARCELLA-SPANTON -- 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 registration require-
ments applicable to certain sex offenders who are transient

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

1 Section 1. Subdivision 3 of section 168-f of the correction law, as
2 amended by chapter 364 of the laws of 2012, is amended to read as
3 follows:

4 3. (a) The provisions of subdivision two of this section shall be
5 applied to a sex offender required to register under this article except
6 that such sex offender designated as a sexual predator or having been
7 given a level three designation must personally verify [~~his or her~~
8 their] address with the local law enforcement agency every ninety calen-
9 dar days after the date of release or commencement of parole or post-re-
10 lease supervision, or probation, or release on payment of a fine, condi-
11 tional discharge or unconditional discharge. At such time the law
12 enforcement agency having jurisdiction may take a new photograph of such
13 sex offender if it appears that the offender has had a change in appear-
14 ance since the most recent photograph taken pursuant to paragraph (b-2)
15 of subdivision two of this section. If such photograph is taken, the law
16 enforcement agency shall promptly forward a copy of such photograph to
17 the division. The duty to personally verify shall be temporarily
18 suspended during any period in which the sex offender is confined to any
19 state or local correctional facility, hospital or institution and shall
20 immediately recommence on the date of the sex offender's release.

21 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-
22 sion, any person who is required to register under this article and who
23 is living as a transient shall register as follows:

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

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1 (i) A transient shall register within five days after release from
2 incarceration, placement or commitment, or probation unless such person
3 registered as a transient within thirty days from the date of their
4 release from incarceration.

5 (ii) After initial registration, such person shall re-register every
6 thirty days.

7 (iii) A transient shall, upon registration and reregistration,
8 provide current information as required on the division registration
9 forms, and shall also list the places where such person sleeps, eats,
10 works, frequents, and engages in leisure activities. If a transient
11 changes or adds to the places listed on the form during the thirty-day
12 period, such person does not need to report the new place or places
13 until the next required reregistration.

14 (iv) If a transient convicted in another jurisdiction enters the
15 state, such person shall register within five working days of coming
16 into the state with the local law enforcement agency in which such
17 person is present or the sheriff of the county.

18 (v) If a transient is not physically present in any one jurisdiction
19 for five consecutive working days, such person shall register in the
20 jurisdiction in which they are is physically present on the fifth work-
21 ing day following release.

22 (vi) A transient who moves out of state shall within five business
23 days inform the local law enforcement agency where they are physically
24 present, in person, of their move out of state and of their planned
25 destination, residence or transient location out of state, and any plans
26 they have to return to the state, if known. The law enforcement agency
27 shall, within three days after receipt of this information, forward a
28 copy of the change of location information to the division. The division
29 shall forward appropriate registration data to the law enforcement agen-
30 cy having local jurisdiction of the new place of residence or location.

31 (c) For purposes of this subdivision:

32 (i) "Transient" shall mean a person who has no residence.

33 (ii) "Residence" shall mean one or more addresses at which a person
34 regularly resides, regardless of the number of days or nights spent
35 there, such as a shelter or structure that can be located by a street
36 address, including, but not limited to, houses, apartment buildings,
37 motels, hotels, homeless shelters, and recreational and other vehicles.

38 § 2. This act shall take effect immediately.