S T A T E O F N E W Y O R K

3364

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

Introduced by M. of A. EDDINGTON -- read once and referred to the Committee on Codes

AN ACT to amend the executive law, in relation to identifying and locating persons convicted of certain sexual offenses prior to 1996

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

Section 1. The executive law is amended by adding a new section 837-s to read as follows:

S 837-S. IDENTIFICATION OF CERTAIN SEX OFFENDERS CONVICTED PRIOR TO NINETEEN HUNDRED NINETY-SIX; MANDATORY REGISTRATION. 1. THE COMMISSIONER SHALL ESTABLISH WITHIN THE DIVISION A PROGRAM TO IDENTIFY AND LOCATE INDIVIDUALS RESIDING WITHIN THE STATE WHO, PRIOR TO NINETEEN HUNDRED NINETY-SIX, WERE CONVICTED OF A SEXUAL OFFENSE WHICH OFFENSE WAS THE DIRECT OR PROXIMATE CAUSE OF DEATH OR SERIOUS INJURY TO THE VICTIM OF SUCH OFFENSE.

2. ALL PERSONS IDENTIFIED AND LOCATED PURSUANT TO THE PROGRAM ESTABLISHED IN SUBDIVISION ONE OF THIS SECTION MUST REGISTER ON THE STATE SEX OFFENDER REGISTRY PURSUANT TO THE PROVISIONS OF ARTICLE SIX-C OF THE CORRECTION LAW.

3. IN ADMINISTERING THE PROVISIONS OF THIS SECTION, THE DIVISION MAY PERFORM SUCH OTHER AND FURTHER ACTS AND PROMULGATE SUCH RULES AND REGULATIONS IT DEEMS NECESSARY, PROPER OR DESIRABLE TO CARRY OUT THE PURPOSE OF THIS SECTION AND NOT OTHERWISE INCONSISTENT WITH OTHER PROVISIONS OF THIS ARTICLE, CHAPTER OR ANY OTHER PROVISION OF LAW. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO, THE DIVISION'S CONSULTATION WITH THE CHIEF ADMINISTRATIVE JUDGE OF THE OFFICE OF COURT ADMINISTRATION, THE CHAIRMAN OF THE STATE COMMISSION OF CORRECTION, AND THE BOARD OF EXAMINERS OF SEX OFFENDERS.

S 2. This act shall take effect immediately.

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

LBD04655-01-9