

7089

2009-2010 Regular Sessions

I N A S S E M B L Y

March 20, 2009

Introduced by M. of A. CARROZZA, MAYERSOHN, EDDINGTON, CUSICK, ORTIZ,
GUNTHER, P. RIVERA, LATIMER -- read once and referred to the Committee
on Correction

AN ACT to amend the correction law, in relation to the residence of a
sex offender

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

1 Section 1. Section 168-c of the correction law is amended by adding a
2 new subdivision 2-a to read as follows:

3 2-A. NO SEX OFFENDER RELEASED OR DISCHARGED FROM A CORRECTIONAL FACIL-
4 ITY, HOSPITAL OR LOCAL CORRECTIONAL FACILITY OR PLACED ON PROBATION
5 SHALL RESIDE WITHIN FIVE HUNDRED FEET OF A BUILDING USED EXCLUSIVELY AS
6 A SCHOOL, THE MEASUREMENTS TO BE TAKEN IN STRAIGHT LINES FROM THE CENTER
7 OF THE NEAREST ENTRANCE OF THE RESIDENCE TO THE CENTER OF THE NEAREST
8 ENTRANCE OF SUCH SCHOOL.

9 S 2. Section 168-f of the correction law is amended by adding a new
10 subdivision 4-a to read as follows:

11 4-A. A SEX OFFENDER, AFTER HIS OR HER DISCHARGE, PAROLE OR RELEASE
12 FROM ANY CORRECTIONAL FACILITY, HOSPITAL OR LOCAL FACILITY OR WHO WAS
13 PLACED ON PROBATION AND WHO HAS ESTABLISHED A RESIDENCE SHALL NOT CHANGE
14 SAID RESIDENCE SO AS TO RESIDE WITHIN FIVE HUNDRED FEET OF A BUILDING
15 USED EXCLUSIVELY AS A SCHOOL, THE MEASUREMENTS TO BE TAKEN IN STRAIGHT
16 LINES FROM THE CENTER OF THE NEAREST ENTRANCE OF THE RESIDENCE TO THE
17 CENTER OF THE NEAREST ENTRANCE OF SUCH SCHOOL.

18 S 3. Section 168-k of the correction law is amended by adding a new
19 subdivision 5 to read as follows:

20 5. A SEX OFFENDER WHO HAS ESTABLISHED RESIDENCE IN THIS STATE PURSUANT
21 TO THIS SECTION SHALL NOT RESIDE WITHIN FIVE HUNDRED FEET OF A BUILDING
22 USED EXCLUSIVELY AS A SCHOOL, THE MEASUREMENTS TO BE TAKEN IN STRAIGHT
23 LINES FROM THE CENTER OF THE NEAREST ENTRANCE OF THE RESIDENCE TO THE
24 CENTER OF THE NEAREST ENTRANCE OF SUCH SCHOOL.

25 S 4. This act shall take effect on the first of November next succeed-
26 ing the date on which it shall have become a law.

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

LBD10250-01-9