

822

2009-2010 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 7, 2009

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Introduced by M. of A. DelMONTE, GUNTHER, GALEF, KOON, FIELDS, WEISENBERG, ROBINSON, N. RIVERA, SPANO -- Multi-Sponsored by -- M. of A. ABBATE, BOYLAND, EDDINGTON, ERRIGO, HOOPER, HYER-SPENCER, MAGEE, MARKEY, MAYERSOHN, REILLY, SWEENEY, TOWNS -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to employment limitations for level three sex offenders

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

1     Section 1. The correction law is amended by adding a new section 168-  
2     qq to read as follows:  
3     S 168-QQ. LEVEL THREE SEX OFFENDERS EMPLOYMENT LIMITATION; PENALTY. 1.  
4     IT SHALL BE UNLAWFUL FOR ANY LEVEL THREE SEX OFFENDER TO WORK WITHIN  
5     FIVE HUNDRED FEET OF ANY PUBLIC OR PRIVATE NURSERY, ELEMENTARY OR  
6     SECONDARY SCHOOL OR LICENSED DAY CARE FACILITY.  
7     2. NO EMPLOYER SHALL KNOWINGLY PERMIT OR CAUSE THE PLACEMENT OF ANY  
8     LEVEL THREE SEX OFFENDER AT ANY WORK LOCATION WITHIN FIVE HUNDRED FEET  
9     OF ANY PUBLIC OR PRIVATE NURSERY, ELEMENTARY OR SECONDARY SCHOOL OR  
10    LICENSED DAY CARE FACILITY.  
11    3. THE EMPLOYMENT PROHIBITION ESTABLISHED BY SUBDIVISIONS ONE AND TWO  
12    OF THIS SECTION SHALL REMAIN IN EFFECT FOR AS LONG AS THE OFFENDER IS  
13    CLASSIFIED AS A LEVEL THREE SEX OFFENDER.  
14    4. A SEX OFFENDER WHO KNOWINGLY VIOLATES THE PROVISIONS OF SUBDIVISION  
15    ONE OF THIS SECTION SHALL BE GUILTY OF A CLASS E FELONY.  
16    S 2. This act shall take effect on the first of November next succeeding  
17    the date upon which it shall have become a law.

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

LBD01085-01-9