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I N A S S E M B L Y

(PREFILED)

January 6, 2010

Introduced by M. of A. KAVANAGH, BOYLAND, PEOPLES-STOKES, ROBINSON, TITUS, AUBRY, JEFFRIES -- Multi-Sponsored by -- M. of A. ALFANO, BARRA, COOK, GALEF, GOTTFRIED, N. RIVERA -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to the posting of a person's information on the department of corrections' website

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 9 to  
2 read as follows:

3 S 9. ACCESS TO INMATE INFORMATION VIA THE INTERNET. NOTWITHSTANDING  
4 ANY PROVISION OF LAW TO THE CONTRARY, ANY INFORMATION RELATING TO THE  
5 CONVICTION OF A PERSON, EXCEPT FOR A PERSON CONVICTED OF AN OFFENSE THAT  
6 WOULD MAKE SUCH PERSON INELIGIBLE FOR MERIT TIME UNDER SECTION EIGHT  
7 HUNDRED THREE OF THIS CHAPTER OR AN OFFENSE FOR WHICH REGISTRATION AS A  
8 SEX OFFENDER IS REQUIRED AS SET FORTH IN SUBDIVISION TWO OR THREE OF  
9 SECTION ONE HUNDRED SIXTY-EIGHT-A OF THIS CHAPTER, THAT IS POSTED ON A  
10 WEBSITE MAINTAINED BY OR FOR THE DEPARTMENT, UNDER ARTICLE SIX OF THE  
11 PUBLIC OFFICERS LAW, MAY BE POSTED ON SUCH WEBSITE FOR A PERIOD NOT TO  
12 EXCEED FIVE YEARS AFTER THE EXPIRATION OF SUCH PERSON'S SENTENCE OF  
13 IMPRISONMENT AND ANY PERIOD OF PAROLE OR POST-RELEASE SUPERVISION;  
14 PROVIDED, HOWEVER, THAT IN THE CASE OF A PERSON WHO HAS BEEN COMMITTED  
15 TO THE DEPARTMENT ON MORE THAN ONE OCCASION, THE DEPARTMENT MAY POST  
16 CONVICTION INFORMATION RELATING TO ANY PRIOR COMMITMENT ON SUCH WEBSITE  
17 FOR A PERIOD NOT TO EXCEED FIVE YEARS AFTER THE EXPIRATION OF SUCH  
18 PERSON'S SENTENCE OF IMPRISONMENT AND ANY PERIOD OF PAROLE OR POST-RE-  
19 LEASE SUPERVISION ARISING FROM THE MOST RECENT COMMITMENT TO THE DEPART-  
20 MENT.

21 S 2. This act shall take effect on the thirtieth day after it shall  
22 have become a law.

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

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