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2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. HAWLEY, TEDISCO, TOWNSEND, SPANO, McKEVITT --
Multi-Sponsored by -- M. of A. ALFANO, BACALLES, BALL, BARCLAY,
BARRA, BUTLER, CALHOUN, CONTE, DUPREY, ERRIGO, FINCH, KOLB, P. LOPEZ,
MILLER, OAKS, O'MARA, QUINN, RAIA, REILICH, SAYWARD, SCOZZAFAVA,
THIELE, TOBACCO, WALKER -- read once and referred to the Committee on
Correction

AN ACT to amend the correction law, in relation to the employment
address of sex offenders

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

1 Section 1. Paragraph (e) of subdivision 1 of section 168-b of the
2 correction law, as amended by chapter 10 of the laws of 2003, is amended
3 to read as follows:
4 (e) If the sex offender has been given A LEVEL TWO OR a level three
5 designation, such offender's employment address and/or expected place of
6 employment.
7 S 2. Paragraph (b-1) of subdivision 2 of section 168-f of the
8 correction law, as amended by chapter 10 of the laws of 2003, is amended
9 to read as follows:
10 (b-1) If the sex offender has been given a LEVEL TWO OR A level three
11 designation, such offender shall sign the verification form, and state
12 that he or she still is employed at the address last reported to the
13 division.
14 S 3. Subdivision 4 of section 168-f of the correction law, as amended
15 by chapter 67 of the laws of 2008, is amended to read as follows:
16 4. Any sex offender shall register with the division no later than ten
17 calendar days after any change of address, ANY CHANGE IN EMPLOYMENT
18 ADDRESS, internet accounts with internet access providers belonging to
19 such offender, internet identifiers that such offender uses, or his or
20 her status of enrollment, attendance, employment or residence at any

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

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1 institution of higher education. A fee of ten dollars, as authorized by
2 subdivision eight of section one hundred sixty-eight-b of this article,
3 shall be submitted by the sex offender each time such offender registers
4 any change of address or any change of his or her status of enrollment,
5 attendance, employment or residence at any institution of higher educa-
6 tion. Any failure or omission to submit the required fee shall not
7 affect the acceptance by the division of the change of address or change
8 of status.

9 S 4. Paragraph (b) of subdivision 6 of section 168-1 of the correction
10 law, as amended by chapter 106 of the laws of 2006, is amended to read
11 as follows:

12 (b) If the risk of repeat offense is moderate, a level two designation
13 shall be given to such sex offender. In such case the law enforcement
14 agency or agencies having jurisdiction and the law enforcement agency or
15 agencies having had jurisdiction at the time of his or her conviction
16 shall be notified and may disseminate relevant information which shall
17 include a photograph and description of the offender and which may
18 include the exact name and any aliases used by the sex offender,
19 [approximate address based on sex offender's zip code,] EXACT ADDRESS,
20 ADDRESS OF THE OFFENDER'S PLACE OF EMPLOYMENT, background information
21 including the offender's crime of conviction, mode of operation, type of
22 victim targeted, the name and address of any institution of higher
23 education at which the sex offender is enrolled, attends, is employed or
24 resides and the description of special conditions imposed on the offen-
25 der to any entity with vulnerable populations related to the nature of
26 the offense committed by such sex offender. Any entity receiving infor-
27 mation on a sex offender may disclose or further disseminate such infor-
28 mation at its discretion. In addition, in such case, the information
29 described herein shall also be provided in the subdirectory established
30 in this article and notwithstanding any other provision of law, such
31 information shall, upon request, be made available to the public.

32 Such law enforcement agencies shall compile, maintain and update a
33 listing of vulnerable organizational entities within its jurisdiction.
34 Such listing shall be utilized for notification of such organizations in
35 disseminating such information on level two sex offenders pursuant to
36 this paragraph. Such listing shall include and not be limited to:
37 superintendents of schools or chief school administrators, superinten-
38 dents of parks, public and private libraries, public and private school
39 bus transportation companies, day care centers, nursery schools, pre-
40 schools, neighborhood watch groups, community centers, civic associ-
41 ations, nursing homes, victim's advocacy groups and places of worship.

42 S 5. This act shall take effect on the thirtieth day after it shall
43 have become a law.