

10321

I N A S S E M B L Y

March 18, 2010

Introduced by M. of A. HOYT -- read once and referred to the Committee
on Correction

AN ACT to amend the correction law, in relation to requiring sex offenders to verify their registration with the sex offender registry on a biannual basis

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

1 Section 1. Subdivision 4 of section 168-b of the correction law, as
2 added by chapter 192 of the laws of 1995, is amended to read as follows:
3 4. The division shall, UPON A DIFFERENT RANDOM DATE DURING EACH SIX
4 MONTH PERIOD OF THE CALENDAR YEAR, mail a nonforwardable verification
5 form to the last reported address of the person for [annual] BIENNIAL
6 verification requirements.
7 S 2. The opening paragraph of subdivision 2 of section 168-f of the
8 correction law, as added by chapter 192 of the laws of 1995, is amended
9 to read as follows:
10 For a sex offender required to register under this article [on each
11 anniversary of the sex offender's initial registration date] UPON
12 RECEIPT OF EACH RANDOMLY MAILED BIENNIAL VERIFICATION FORM during the
13 period in which he is required to register under this section the
14 following applies:
15 S 3. Subdivision 2 of section 168-g of the correction law, as added by
16 chapter 192 of the laws of 1995, is amended to read as follows:
17 2. Every sex offender who on the effective date of this article is
18 then on parole or probation for an offense provided for in subdivision
19 two or three of section one hundred sixty-eight-a of this article shall
20 within ten calendar days of such determination register with his parole
21 or probation officer. [On each anniversary of] ON AND AFTER the sex
22 offender's initial registration date [thereafter], the provisions of
23 section one hundred sixty-eight-f of this article shall BE DEEMED TO
24 apply TO SUCH OFFENDER. Any sex offender who fails or refuses to so
25 comply shall be subject to the same penalties as otherwise provided for
26 in this article which would be imposed upon a sex offender who fails or

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

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1 refuses to so comply with the provisions of this article on or after
2 such effective date.

3 S 4. Subdivisions 1 and 2 of section 168-h of the correction law, as
4 amended by chapter 1 of the laws of 2006, are amended to read as
5 follows:

6 1. The duration of registration and verification for a sex offender
7 who has not been designated a sexual predator, or a sexually violent
8 offender, or a predicate sex offender, and who is classified as a level
9 one risk, or who has not yet received a risk level classification, shall
10 be [annually] BIANNUALLY for a period of twenty years from the initial
11 date of registration.

12 2. The duration of registration and verification for a sex offender
13 who, on or after March eleventh, two thousand two, is designated a sexu-
14 al predator, or a sexually violent offender, or a predicate sex offen-
15 der, or who is classified as a level two or level three risk, shall be
16 [annually] BIANNUALLY for life. Notwithstanding the foregoing, a sex
17 offender who is classified as a level two risk and who is not designated
18 a sexual predator, a sexually violent offender or a predicate sex offen-
19 der, may be relieved of the duty to register and verify as provided by
20 subdivision one of section one hundred sixty-eight-o of this article.

21 S 5. This act shall take effect on the first of January next succeed-
22 ing the date on which it shall have become a law, provided that any
23 rules, regulations and forms necessary to implement the provisions of
24 this act on its effective date are authorized and directed to be
25 completed on or before such date.