S T A T E O F N E W Y O R K

3306

2009-2010 Regular Sessions

I N A S S E M B L Y

January 26, 2009

Introduced by M. of A. EDDINGTON, COLTON, ORTIZ, JOHN, KOON, McENENY, TOWNS -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to restricting placement of level two and level three sex offenders in social services district funded shelter or housing accommodations located within one thousand feet of any public or private elementary, middle, or high school; nursery school; playground; day care facility; nursing home; adult day care facility; house of worship; or senior citizen center or facility

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

Section 1. The social services law is amended by adding a new section 131-y to read as follows:

S 131-Y. PLACEMENT OF LEVEL TWO OR THREE SEX OFFENDERS. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF LAW, NEITHER THE OFFICE OF CHILDREN AND FAMILY SERVICES, NOR A SOCIAL SERVICES OFFICIAL ACTING ON HIS OR HER OWN OR AS AN AGENT PURSUANT TO SECTION ONE HUNDRED THIRTY-EIGHT-A OF THIS TITLE, SHALL PERMIT OR CAUSE THE PLACEMENT OF ANY SEX OFFENDER WHO HAS BEEN ASSIGNED A LEVEL TWO OR LEVEL THREE DESIGNATION PURSUANT TO ARTICLE SIX-C OF THE CORRECTION LAW, INTO A SOCIAL SERVICES DISTRICT FUNDED SHELTER OR HOUSING ACCOMMODATION LOCATED WITHIN ONE THOUSAND FEET OF ANY PUBLIC OR PRIVATE ELEMENTARY, MIDDLE, OR HIGH SCHOOL; NURSERY SCHOOL; PLAYGROUND; DAY CARE FACILITY; NURSING HOME; ADULT DAY CARE FACILITY; HOUSE OF WORSHIP; SENIOR CITIZEN CENTER OR FACILITY. THE PROVISIONS OF THIS SECTION SHALL APPLY TO ANY SHELTER OR HOUSING ACCOMMODATION FUNDED BY A SOCIAL SERVICES DISTRICT, IN WHOLE OR IN PART, EITHER DIRECTLY THROUGH THE USE OF SOCIAL SERVICES DISTRICT FUNDS OR AS A CONDUIT FOR STATE AND FEDERAL FUNDS.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided, however, that any rules or regulations necessary for the timely implementation of the provisions of this act on its effective date shall be promulgated on or before such date.

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

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