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

7089

2009-2010 Regular Sessions

I N A S S E M B L Y

March 20, 2009

Introduced by M. of A. CARROZZA, MAYERSOHN, EDDINGTON, CUSICK, ORTIZ, GUNTHER, P. RIVERA, LATIMER -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to the residence of a sex offender

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

Section 1. Section 168-c of the correction law is amended by adding a new subdivision 2-a to read as follows:

2-A. NO SEX OFFENDER RELEASED OR DISCHARGED FROM A CORRECTIONAL FACILITY, HOSPITAL OR LOCAL CORRECTIONAL FACILITY OR PLACED ON PROBATION SHALL RESIDE WITHIN FIVE HUNDRED FEET OF A BUILDING USED EXCLUSIVELY AS A SCHOOL, THE MEASUREMENTS TO BE TAKEN IN STRAIGHT LINES FROM THE CENTER OF THE NEAREST ENTRANCE OF THE RESIDENCE TO THE CENTER OF THE NEAREST ENTRANCE OF SUCH SCHOOL.

S 2. Section 168-f of the correction law is amended by adding a new subdivision 4-a to read as follows:

4-A. A SEX OFFENDER, AFTER HIS OR HER DISCHARGE, PAROLE OR RELEASE FROM ANY CORRECTIONAL FACILITY, HOSPITAL OR LOCAL FACILITY OR WHO WAS PLACED ON PROBATION AND WHO HAS ESTABLISHED A RESIDENCE SHALL NOT CHANGE SAID RESIDENCE SO AS TO RESIDE WITHIN FIVE HUNDRED FEET OF A BUILDING USED EXCLUSIVELY AS A SCHOOL, THE MEASUREMENTS TO BE TAKEN IN STRAIGHT LINES FROM THE CENTER OF THE NEAREST ENTRANCE OF THE RESIDENCE TO THE CENTER OF THE NEAREST ENTRANCE OF SUCH SCHOOL.

S 3. Section 168-k of the correction law is amended by adding a new subdivision 5 to read as follows:

5. A SEX OFFENDER WHO HAS ESTABLISHED RESIDENCE IN THIS STATE PURSUANT TO THIS SECTION SHALL NOT RESIDE WITHIN FIVE HUNDRED FEET OF A BUILDING USED EXCLUSIVELY AS A SCHOOL, THE MEASUREMENTS TO BE TAKEN IN STRAIGHT LINES FROM THE CENTER OF THE NEAREST ENTRANCE OF THE RESIDENCE TO THE CENTER OF THE NEAREST ENTRANCE OF SUCH SCHOOL.

S 4. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

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