

985

2009-2010 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 7, 2009

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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.