

1485

2009-2010 Regular Sessions

I N S E N A T E

February 2, 2009

Introduced by Sens. SKELOS, FARLEY, FUSCHILLO, GOLDEN, LEIBELL, MAZIARZ, MORAHAN, SALAND, SEWARD, VOLKER -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and 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

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

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1 section one hundred sixty-eight-f of this article shall BE DEEMED TO
2 apply TO SUCH OFFENDER. Any sex offender who fails or refuses to so
3 comply shall be subject to the same penalties as otherwise provided for
4 in this article which would be imposed upon a sex offender who fails or
5 refuses to so comply with the provisions of this article on or after
6 such effective date.

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

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

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

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