

4026

2011-2012 Regular Sessions

I N   S E N A T E

March 14, 2011

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Introduced by Sens. ZELDIN, FUSCHILLO, JOHNSON, LARKIN, LIBOUS, MAZIARZ,  
SEWARD -- 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 the residence of a  
sex offender

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

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

3     2-A. NO SEX OFFENDER RELEASED OR DISCHARGED FROM A CORRECTIONAL FACIL-  
4 ITY, HOSPITAL OR LOCAL CORRECTIONAL FACILITY OR PLACED ON PROBATION  
5 SHALL RESIDE WITHIN FIVE HUNDRED FEET OF A BUILDING USED EXCLUSIVELY AS  
6 A SCHOOL, THE MEASUREMENTS TO BE TAKEN IN STRAIGHT LINES FROM THE CENTER  
7 OF THE NEAREST ENTRANCE OF THE RESIDENCE TO THE CENTER OF THE NEAREST  
8 ENTRANCE OF SUCH SCHOOL.

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

11     4-A. A SEX OFFENDER, AFTER HIS OR HER DISCHARGE, PAROLE OR RELEASE  
12 FROM ANY CORRECTIONAL FACILITY, HOSPITAL OR LOCAL FACILITY OR WHO WAS  
13 PLACED ON PROBATION AND WHO HAS ESTABLISHED A RESIDENCE SHALL NOT CHANGE  
14 SAID RESIDENCE SO AS TO RESIDE WITHIN FIVE HUNDRED FEET OF A BUILDING  
15 USED EXCLUSIVELY AS A SCHOOL, THE MEASUREMENTS TO BE TAKEN IN STRAIGHT  
16 LINES FROM THE CENTER OF THE NEAREST ENTRANCE OF THE RESIDENCE TO THE  
17 CENTER OF THE NEAREST ENTRANCE OF SUCH SCHOOL.

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

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

25     S 4. This act shall take effect on the first of November next succeed-  
26 ing 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.

LBD05093-01-1