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

1020

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. ORTIZ, SPANO -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to requiring registered sex offenders to wear electronic tagging devices

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

Section 1. Section 168-w of the correction law, as relettered by chapter 604 of the laws of 2005, is relettered section 168-x and a new section 168-w is added to read as follows:

S 168-W. WEARING OF ELECTRONIC TAGGING DEVICES. 1. ANY PERSON WHO IS REQUIRED TO REGISTER PURSUANT TO THIS ARTICLE SHALL ALSO BE REQUIRED TO WEAR AN ELECTRONIC TAGGING DEVICE. FOR PURPOSES OF THIS SECTION, AN ELECTRONIC TAGGING DEVICE MEANS A DEVICE, WORN BY AN INDIVIDUAL, THAT TRANSMITS A SIGNAL AND ENABLES ANOTHER PERSON OR ENTITY TO MONITOR, TRACK, AND/OR PINPOINT THE LOCATION OF THE INDIVIDUAL WEARING THE DEVICE THROUGH THE RECEPTION OF THAT SIGNAL.

2. AN INDIVIDUAL MAY NOT TAMPER WITH HIS OR HER ELECTRONIC TAGGING DEVICE IN ANY WAY, NOR MAY THEY ALLOW ANOTHER PERSON TO TAMPER WITH SUCH DEVICE. A PERSON WHO IS CAUGHT TAMPERING WITH AN ELECTRONIC TAGGING DEVICE SHALL BE GUILTY OF A CLASS E FELONY.

S 2. This act shall take effect immediately and shall apply to any person who is required to register pursuant to article 6-C of the correction law on or after such effective date.

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

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