

S T A T E   O F   N E W   Y O R K

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6456

2011-2012 Regular Sessions

I N   A S S E M B L Y

March 17, 2011

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Introduced by M. of A. JOHNS, D. MILLER, McLAUGHLIN, STEVENSON, SALADINO  
-- Multi-Sponsored by -- M. of A. BURLING, CERETTO, GRAF, McKEVITT,  
MURRAY, RAIA, N. RIVERA, P. RIVERA -- read once and referred to the  
Committee on Correction

AN ACT to amend the correction law, in relation to lifetime probation  
and electronic monitoring of certain sexual offenders

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

1     Section 1. Section 168-g of the correction law is amended by adding a  
2     new subdivision 5 to read as follows:  
3     5. NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ANY  
4     SEX OFFENDER WHO IS CONVICTED OF MOLESTING A CHILD UNDER THE AGE OF  
5     FOURTEEN, AFTER SUCH SEX OFFENDER HAS SERVED JAIL TIME FOR A PREVIOUS  
6     SEXUAL OFFENSE AS DEFINED IN SUBDIVISION TWO OR THREE OF SECTION ONE  
7     HUNDRED SIXTY-EIGHT-A OF THIS ARTICLE, SHALL BE SUBJECT TO LIFETIME  
8     PROBATION AND AN ELECTRONIC MONITORING DEVICE TO BE MONITORED BY THE  
9     DIVISION.  
10    S 2. Subdivision 6 of section 168-l of the correction law is amended  
11    by adding a new paragraph (d) to read as follows:  
12    (D) IN ADDITION TO THE REQUIREMENTS OF THIS SUBDIVISION, IF THE RISK  
13    OF A REPEAT OFFENSE IS HIGH OR IF THE SEXUAL OFFENDER IS CONVICTED OF  
14    MOLESTING A CHILD UNDER THE AGE OF FOURTEEN AFTER SUCH SEXUAL OFFENDER  
15    HAS SERVED JAIL TIME FOR A PREVIOUS SEXUAL OFFENSE AS DEFINED IN SUBDI-  
16    VISION TWO OR THREE OF SECTION ONE HUNDRED SIXTY-EIGHT-A OF THIS ARTI-  
17    CLE, SUCH SEXUAL OFFENDER SHALL BE GRANTED LIFETIME PROBATION AND AN  
18    ELECTRONIC MONITORING DEVICE DISTRIBUTED AND MONITORED BY THE DIVISION.  
19    S 3. This act shall take effect on the ninetieth day after it shall  
20    have become a law.

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

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