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

1247

2011-2012 Regular Sessions

I N S E N A T E

January 6, 2011

Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to sex offender registry check for certain employers

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

Section 1. The labor law is amended by adding a new section 201-g to read as follows:

S 201-G. SEX OFFENDER REGISTRY CHECKS FOR CERTAIN EMPLOYERS. 1. ANY EMPLOYER THAT OPERATES A SCHOOL DESCRIBED IN PARAGRAPH F OF SUBDIVISION TWO OF SECTION FIVE THOUSAND ONE OF THE EDUCATION LAW, ESTABLISHED FOR THE PRIMARY PURPOSE OF PROVIDING INSTRUCTION TO CHILDREN UNDER THE AGE OF SIXTEEN, SHALL, BEFORE HIRING A PROSPECTIVE EMPLOYEE FOR A POSITION WHERE SUCH PROSPECTIVE EMPLOYEE IS EXPECTED TO HAVE DIRECT AND UNSUPERVISED CONTACT WITH CHILDREN, ASCERTAIN WHETHER SUCH PROSPECTIVE EMPLOYEE IS LISTED ON THE SEX OFFENDER REGISTRY ESTABLISHED BY ARTICLE SIX-C OF THE CORRECTION LAW.

2. PRIOR TO INITIATING THE SEX OFFENDER REGISTRY INQUIRY DESCRIBED IN SUBDIVISION ONE OF THIS SECTION, AN EMPLOYER SHALL INFORM THE PROSPECTIVE EMPLOYEE THAT SUCH INQUIRY WILL BE PERFORMED.

3. A WILLFUL VIOLATION OF THIS SECTION SHALL SUBJECT AN EMPLOYER TO A CIVIL PENALTY OF NOT MORE THAN ONE HUNDRED DOLLARS.

S 2. This act shall take effect immediately.

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

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