

7823

I N S E N A T E

July 11, 2012

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

AN ACT to amend the correction law and the penal law, in relation to prohibiting persons required to maintain registration under the sex offender registration act from entering into a children's section of a public library

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

1 Section 1. Section 168-w of the correction law, as relettered by chap-
2 ter 406 of the laws of 2005 is relettered section 168-x and a new
3 section 168-w is added to read as follows:
4 S 168-W. PROHIBITION FROM ENTERING A CHILDREN'S SECTION OF A PUBLIC
5 LIBRARY. ANY PERSON REQUIRED TO MAINTAIN REGISTRATION UNDER THIS ARTICLE
6 (SEX OFFENDER REGISTRATION ACT) SHALL REFRAIN FROM ENTERING INTO OR UPON
7 ANY AREA OR ROOM IN A PUBLIC LIBRARY DESIGNATED AS A CHILDREN'S SECTION.
8 S 2. Paragraph (a) of subdivision 4-a of section 65.10 of the penal
9 law, as amended by chapter 67 of the laws of 2008, is amended to read as
10 follows:
11 (a) When imposing a sentence of probation or conditional discharge
12 upon a person convicted of an offense defined in article one hundred
13 thirty, two hundred thirty-five or two hundred sixty-three of this chap-
14 ter, or section 255.25, 255.26 or 255.27 of this chapter, and the victim
15 of such offense was under the age of eighteen at the time of such
16 offense or such person has been designated a level three sex offender
17 pursuant to subdivision six of section 168-l of the correction law, the
18 court shall require, as a mandatory condition of such sentence, that
19 such sentenced offender shall refrain from knowingly entering into or
20 upon any school grounds, as that term is defined in subdivision fourteen
21 of section 220.00 of this chapter, OR ANY AREA OR ROOM OF A PUBLIC
22 LIBRARY DESIGNATED AS A CHILDREN'S SECTION, or any other facility or
23 institution primarily used for the care or treatment of persons under
24 the age of eighteen while one or more of such persons under the age of
25 eighteen are present, provided however, that when such sentenced offen-
26 der is a registered student or participant or an employee of such facil-

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

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1 ity or institution or entity contracting therewith or has a family
2 member enrolled in such facility or institution, such sentenced offender
3 may, with the written authorization of his or her probation officer or
4 the court and the superintendent or chief administrator of such facili-
5 ty, institution or grounds, enter such facility, institution or upon
6 such grounds for the limited purposes authorized by the probation offi-
7 cer or the court and superintendent or chief officer. Nothing in this
8 subdivision shall be construed as restricting any lawful condition of
9 supervision that may be imposed on such sentenced offender.
10 S 3. This act shall take effect immediately.