

1428

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. SKELOS -- 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 requiring sex offenders to verify their registration with the sex offender registry on a biannual basis

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

1 Section 1. Subdivision 4 of section 168-b of the correction law, as
2 added by chapter 192 of the laws of 1995, is amended to read as follows:
3 4. The division shall, UPON A DIFFERENT RANDOM DATE DURING EACH SIX
4 MONTH PERIOD OF THE CALENDAR YEAR, mail a nonforwardable verification
5 form to the last reported address of the person for [annual] BIENNIAL
6 verification requirements.
7 S 2. The opening paragraph of subdivision 2 of section 168-f of the
8 correction law, as added by chapter 192 of the laws of 1995, is amended
9 to read as follows:
10 For a sex offender required to register under this article [on each
11 anniversary of the sex offender's initial registration date] UPON
12 RECEIPT OF EACH RANDOMLY MAILED BIENNIAL VERIFICATION FORM during the
13 period in which he is required to register under this section the
14 following applies:
15 S 3. Subdivision 2 of section 168-g of the correction law, as amended
16 by section 18 of subpart B of part C of chapter 62 of the laws of 2011,
17 is amended to read as follows:
18 2. Every sex offender who on the effective date of this article is
19 then on community supervision or probation for an offense provided for
20 in subdivision two or three of section one hundred sixty-eight-a of this
21 article shall within ten calendar days of such determination register
22 with his parole or probation officer. [On each anniversary of] ON AND

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

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1 AFTER the sex offender's initial registration date [thereafter], the
2 provisions of section one hundred sixty-eight-f of this article shall BE
3 DEEMED TO apply TO SUCH OFFENDER. Any sex offender who fails or refuses
4 to so comply shall be subject to the same penalties as otherwise
5 provided for in this article which would be imposed upon a sex offender
6 who fails or refuses to so comply with the provisions of this article on
7 or after such effective date.

8 S 4. Subdivisions 1 and 2 of section 168-h of the correction law, as
9 amended by chapter 1 of the laws of 2006, are amended to read as
10 follows:

11 1. The duration of registration and verification for a sex offender
12 who has not been designated a sexual predator, or a sexually violent
13 offender, or a predicate sex offender, and who is classified as a level
14 one risk, or who has not yet received a risk level classification, shall
15 be [annually] BIANNUALLY for a period of twenty years from the initial
16 date of registration.

17 2. The duration of registration and verification for a sex offender
18 who, on or after March eleventh, two thousand two, is designated a sexu-
19 al predator, or a sexually violent offender, or a predicate sex offen-
20 der, or who is classified as a level two or level three risk, shall be
21 [annually] BIANNUALLY for life. Notwithstanding the foregoing, a sex
22 offender who is classified as a level two risk and who is not designated
23 a sexual predator, a sexually violent offender or a predicate sex offen-
24 der, may be relieved of the duty to register and verify as provided by
25 subdivision one of section one hundred sixty-eight-o of this article.

26 S 5. This act shall take effect on the first of January next succeed-
27 ing the date on which it shall have become a law, provided that any
28 rules, regulations and forms necessary to implement the provisions of
29 this act on its effective date are authorized and directed to be
30 completed on or before such date.