

614

2013-2014 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 9, 2013

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

AN ACT to amend the correction law, in relation to level three designation for certain sex offenders

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

1     Section 1. The opening paragraph of paragraph (c) of subdivision 6 of  
2     section 168-1 of the correction law, as separately amended by chapters  
3     318 and 680 of the laws of 2005, is amended to read as follows:  
4     If the risk of repeat offense is high and there exists a threat to the  
5     public safety a level three designation shall be given to such sex  
6     offender. IF THE SEX OFFENDER HAS A CONVICTION OF OR A CONVICTION FOR  
7     AN ATTEMPT TO COMMIT AN OFFENSE CONTAINED IN ARTICLE ONE HUNDRED THIRTY  
8     OR TWO HUNDRED SIXTY-THREE OR SECTION 135.25, 230.06, 230.32, 255.25,  
9     255.26 OR 255.27 OF THE PENAL LAW AND WHERE THE VICTIM OF THE RELATED  
10    OFFENSE IS LESS THAN ELEVEN YEARS OLD A LEVEL THREE DESIGNATION SHALL BE  
11    GIVEN TO SUCH SEX OFFENDER. In [such] EITHER case, the law enforcement  
12    agency or agencies having jurisdiction and the law enforcement agency or  
13    agencies having had jurisdiction at the time of his or her conviction  
14    shall be notified and may disseminate relevant information which shall  
15    include a photograph and description of the offender and which may  
16    include the sex offender's exact name and any aliases used by the offender,  
17    exact address, address of the offender's place of employment, background  
18    information including the offender's crime of conviction, mode of  
19    operation, type of victim targeted, the name and address of any institution  
20    of higher education at which the sex offender is enrolled, attends,  
21    is employed or resides and the description of special conditions imposed  
22    on the offender to any entity with vulnerable populations related to the  
23    nature of the offense committed by such sex offender. Any entity receiving  
24    information on a sex offender may disclose or further disseminate

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

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1 such information at its discretion. In addition[, in such case,] the  
2 information described [herein] IN THIS PARAGRAPH shall also be provided  
3 in the subdirectory established in this article and notwithstanding any  
4 other provision of law, such information shall, upon request, be made  
5 available to the public.

6 S 2. This act shall take effect on the first of November next succeed-  
7 ing the date on which it shall have become a law.