

STATE OF NEW YORK

8075

IN SENATE

March 26, 2018

Introduced by Sen. AVELLA -- 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 residency requirements for sex offenders

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 168-b of the correction law is amended by adding a
2 new subdivision 13 to read as follows:

3 13. The division, when acknowledging initial registration and there-
4 after in annual correspondence, shall advise each sex offender, to whom
5 the residency restriction in section one hundred sixty-eight-w of this
6 article applies, concerning the terms and specific duration of such
7 restriction. The division shall regularly monitor compliance with such
8 restriction.

9 § 2. Section 168-t of the correction law, as amended by chapter 373 of
10 the laws of 2007, is amended to read as follows:

11 § 168-t. Penalty. Any sex offender required to register or to verify
12 pursuant to the provisions of this article who fails to register or
13 verify in the manner and within the time periods provided for in this
14 article shall be guilty of a class E felony upon conviction for the
15 first offense, and upon conviction for a second or subsequent offense
16 shall be guilty of a class D felony. Any sex offender who violates the
17 provisions of section one hundred sixty-eight-v or section one hundred
18 sixty-eight-w of this article shall be guilty of a class A misdemeanor
19 upon conviction for the first offense, and upon conviction for a second
20 or subsequent offense shall be guilty of a class D felony. Any such
21 failure to register or verify may also be the basis for revocation of
22 parole pursuant to section two hundred fifty-nine-i of the executive law
23 or the basis for revocation of probation pursuant to article four
24 hundred ten of the criminal procedure law.

25 § 3. Section 168-w of the correction law, as relettered by chapter 604
26 of the laws of 2005, is relettered section 168-x and a new section 168-w
27 is added to read as follows:

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

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1 § 168-w. Residency requirements for sex offenders. No sex offender
2 required to register under this article shall reside in a residence that
3 is within one thousand feet of any school grounds. For purposes of this
4 section, "school grounds" shall have the same meaning as defined in
5 subdivision fourteen of section 220.00 of the penal law.

6 § 4. This act shall take effect on the ninetieth day after it shall
7 have become a law.