

STATE OF NEW YORK

2696--A

2019-2020 Regular Sessions

IN SENATE

January 28, 2019

Introduced by Sen. SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the correction law, in relation to the definitions of a sexually violent offender and sex offense as applied to out-of-state offenders

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

1 Section 1. Subparagraphs (ii) and (iii) of paragraph (d) of subdivi-
2 sion 2 of section 168-a of the correction law, subparagraph (ii) as
3 amended by chapter 11 of the laws of 2002 and subparagraph (iii) as
4 amended by chapter 232 of the laws of 2008, are amended to read as
5 follows:

6 (ii) [~~a felony in any other jurisdiction for which the offender is~~
7 ~~required to register as a sex offender in the jurisdiction in which the~~
8 ~~conviction occurred or, (iii)~~] any of the provisions of 18 U.S.C. 2251,
9 18 U.S.C. 2251A, 18 U.S.C. 2252, 18 U.S.C. 2252A, 18 U.S.C. 2260, 18
10 U.S.C. 2422(b), 18 U.S.C. 2423, or 18 U.S.C. 2425, provided that the
11 elements of such crime of conviction are substantially the same as those
12 which are a part of such offense as of the date on which this subpara-
13 graph takes effect.

14 § 2. Paragraph (b) of subdivision 3 of section 168-a of the correction
15 law, as amended by chapter 11 of the laws of 2002, is amended to read as
16 follows:

17 (b) a conviction of an offense in any other jurisdiction which
18 includes all of the essential elements of any such felony provided for
19 in paragraph (a) of this subdivision [~~or conviction of a felony in any~~
20 ~~other jurisdiction for which the offender is required to register as a~~
21 ~~sex offender in the jurisdiction in which the conviction occurred~~].

22 § 3. 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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