STATE OF NEW YORK

1389

2019-2020 Regular Sessions

IN SENATE

January 14, 2019

Introduced by Sen. FUNKE -- 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 authorizing municipalities to establish residency restrictions for sex offenders

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

Section 1. Legislative findings. It is the sense of the legislature that determinations regarding restrictions upon the residence of sex offenders who are required to register pursuant to the provisions of article 6-C of the correction law should be made by the local municipality in which such offenders reside since municipalities are in a better position than the state, after taking into consideration local conditions and after determining what entities with vulnerable populations would require protection from registered sex offenders, to make such determinations.

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

§ 168-w. Municipal residency restrictions. Any municipality may enact a local law which imposes residency restrictions upon sex offenders required to register pursuant to this article, provided that such residency restrictions are no less restrictive than the requirements set forth in paragraph (a) of subdivision four-a of section 65.10 of the penal law and subdivision fourteen of section two hundred fifty-nine-c of the executive law.

§ 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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