

STATE OF NEW YORK

5502

2021-2022 Regular Sessions

IN ASSEMBLY

February 19, 2021

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

AN ACT to amend the correction law, in relation to the residence of a sex offender

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

1 Section 1. Subdivisions 1, 2 and 3 of section 168-c of the correction
2 law, as amended by chapter 11 of the laws of 2002, are amended to read
3 as follows:

4 1. In the case of any sex offender, it shall be the duty of the
5 department, hospital or local correctional facility at least ten calen-
6 dar days prior to the release or discharge of any sex offender from a
7 correctional facility, hospital or local correctional facility to notify
8 the division of the contemplated release or discharge of such sex offen-
9 der, informing the division in writing on a form provided by the divi-
10 sion indicating the address at which he or she proposes to reside and
11 the name and address of any institution of higher education at which he
12 or she expects to be enrolled, attending or employed, whether for
13 compensation or not, and whether he or she resides in or will reside in
14 a facility owned or operated by such institution. If such sex offender
15 changes his or her place of residence while on parole, such notification
16 of the change of residence shall be sent by the sex offender's parole
17 officer within forty-eight hours to the division on a form provided by
18 the division. If such sex offender changes the status of his or her
19 enrollment, attendance, employment or residence at any institution of
20 higher education while on parole, such notification of the change of
21 status shall be sent by the sex offender's parole officer within forty-
22 eight hours to the division on a form provided by the division. In any
23 case, a sex offender must report each address where he or she resides,
24 including any multiple or part-time residences.

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

LBD09415-01-1

1 2. In the case of any sex offender on probation, it shall be the duty
2 of the sex offender's probation officer to notify the division within
3 forty-eight hours of [~~the~~] all new [~~place~~] places of residence on a form
4 provided by the division. If such sex offender changes the status of his
5 or her enrollment, attendance, employment or residence at any institu-
6 tion of higher education while on probation, such notification of the
7 change of status shall be sent by the sex offender's probation officer
8 within forty-eight hours to the division on a form provided by the divi-
9 sion.

10 3. In the case in which any sex offender escapes from a state or local
11 correctional facility or hospital, the designated official of the facil-
12 ity or hospital where the person was confined shall notify within twen-
13 ty-four hours the law enforcement agency having had jurisdiction at the
14 time of his or her conviction, informing such law enforcement agency of
15 the name and aliases of the person, and the address or addresses at
16 which he or she resided at the time of his or her conviction, the amount
17 of time remaining to be served, if any, on the full term for which he or
18 she was sentenced, and the nature of the crime for which he or she was
19 sentenced, transmitting at the same time a copy of such sex offender's
20 fingerprints and photograph and a summary of his or her criminal record.

21 § 2. Paragraph (b) of subdivision 2 of section 168-f of the correction
22 law, as added by chapter 192 of the laws of 1995, is amended to read as
23 follows:

24 (b) The verification form shall be signed by the sex offender, and
25 state that he still resides at the address or addresses last reported to
26 the division.

27 § 3. Subdivision 4 of section 168-f of the correction law, as amended
28 by chapter 67 of the laws of 2008, is amended to read as follows:

29 4. Any sex offender shall register with the division no later than ten
30 calendar days after any change of address, internet accounts with inter-
31 net access providers belonging to such offender, internet identifiers
32 that such offender uses, or his or her status of enrollment, attendance,
33 employment or residence at any institution of higher education. A sex
34 offender must report each address where he or she resides, including any
35 multiple or part-time residences. A fee of ten dollars, as authorized by
36 subdivision eight of section one hundred sixty-eight-b of this article,
37 shall be submitted by the sex offender each time such offender registers
38 any change of address or any change of his or her status of enrollment,
39 attendance, employment or residence at any institution of higher educa-
40 tion. Any failure or omission to submit the required fee shall not
41 affect the acceptance by the division of the change of address or change
42 of status.

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