

STATE OF NEW YORK

5538

2021-2022 Regular Sessions

IN SENATE

March 10, 2021

Introduced by Sen. STEC -- read twice and ordered printed, and when printed to be committed to the Committee on Disabilities

AN ACT to amend the mental hygiene law, in relation to placement of registered sex offenders by the office for people with developmental disabilities

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

1 Section 1. The mental hygiene law is amended by adding a new section
2 13.38-a to read as follows:

3 § 13.38-a Placement of registered sex offenders.

4 1. For purposes of this section, the term "registered sex offender"
5 shall mean all registered sex offenders pursuant to article six-C of the
6 correction law, except for a level one sex offender who has not been
7 designated as a sexual predator, a sexually violent offender, or a pred-
8 icate sex offender.

9 2. The office shall designate specific residential placements for
10 individuals with developmental disabilities who are registered sex
11 offenders. The office shall determine how many residential placements
12 for individuals who are registered sex offenders are necessary to
13 provide adequate services to such individuals and shall ensure that the
14 location of such residential placements are geographically disbursed
15 throughout the state.

16 3. Notwithstanding any inconsistent provision of law, the office shall
17 not permit or cause the placement of any registered sex offender in any
18 residential placement other than specifically designated residential
19 placements for registered sex offenders as provided in subdivision one
20 of this section. Provided, however, this subdivision shall not apply to
21 registered sex offenders who have already been successfully placed by
22 the office in a residential placement for individuals with developmental
23 disabilities.

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

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1 4. The office shall develop a staffing model for such residential
2 placements for registered sex offenders which shall include, but shall
3 not be limited to, an adequate staff to resident ratio and appropriate
4 training, to ensure the safety and well-being of the residents.

5 5. Transitional care provided to such registered sex offenders with
6 developmental disabilities shall include outreach by the office to local
7 law enforcement.

8 § 2. This act shall take effect on the one hundred eightieth day after
9 it shall have become a law.