

# STATE OF NEW YORK

5522

2023-2024 Regular Sessions

## IN ASSEMBLY

March 16, 2023

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.

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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.