

STATE OF NEW YORK

4736

2025-2026 Regular Sessions

IN ASSEMBLY

February 6, 2025

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

AN ACT to amend the correction law, in relation to registration requirements applicable to certain sex offenders who are transient

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

1 Section 1. Subdivision 3 of section 168-f of the correction law, as
2 amended by chapter 364 of the laws of 2012, is amended to read as
3 follows:

4 3. (a) The provisions of subdivision two of this section shall be
5 applied to a sex offender required to register under this article except
6 that such sex offender designated as a sexual predator or having been
7 given a level three designation must personally verify [~~his or her~~
8 their] address with the local law enforcement agency every ninety calen-
9 dar days after the date of release or commencement of parole or post-re-
10 lease supervision, or probation, or release on payment of a fine, condi-
11 tional discharge or unconditional discharge. At such time the law
12 enforcement agency having jurisdiction may take a new photograph of such
13 sex offender if it appears that the offender has had a change in appear-
14 ance since the most recent photograph taken pursuant to paragraph (b-2)
15 of subdivision two of this section. If such photograph is taken, the law
16 enforcement agency shall promptly forward a copy of such photograph to
17 the division. The duty to personally verify shall be temporarily
18 suspended during any period in which the sex offender is confined to any
19 state or local correctional facility, hospital or institution and shall
20 immediately recommence on the date of the sex offender's release.

21 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-
22 sion, any person who is required to register under this article and who
23 is living as a transient shall register as follows:

24 (i) A transient shall register within five days after release from
25 incarceration, placement or commitment, or probation unless such person

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

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1 registered as a transient within thirty days from the date of their
2 release from incarceration.

3 (ii) After initial registration, such person shall re-register every
4 thirty days.

5 (iii) A transient shall, upon registration and reregistration,
6 provide current information as required on the division registration
7 forms, and shall also list the places where such person sleeps, eats,
8 works, frequents, and engages in leisure activities. If a transient
9 changes or adds to the places listed on the form during the thirty-day
10 period, such person does not need to report the new place or places
11 until the next required reregistration.

12 (iv) If a transient convicted in another jurisdiction enters the
13 state, such person shall register within five working days of coming
14 into the state with the local law enforcement agency in which such
15 person is present or the sheriff of the county.

16 (v) If a transient is not physically present in any one jurisdiction
17 for five consecutive working days, such person shall register in the
18 jurisdiction in which they are is physically present on the fifth work-
19 ing day following release.

20 (vi) A transient who moves out of state shall within five business
21 days inform the local law enforcement agency where they are physically
22 present, in person, of their move out of state and of their planned
23 destination, residence or transient location out of state, and any plans
24 they have to return to the state, if known. The law enforcement agency
25 shall, within three days after receipt of this information, forward a
26 copy of the change of location information to the division. The division
27 shall forward appropriate registration data to the law enforcement agen-
28 cy having local jurisdiction of the new place of residence or location.

29 (c) For purposes of this subdivision:

30 (i) "Transient" shall mean a person who has no residence.

31 (ii) "Residence" shall mean one or more addresses at which a person
32 regularly resides, regardless of the number of days or nights spent
33 there, such as a shelter or structure that can be located by a street
34 address, including, but not limited to, houses, apartment buildings,
35 motels, hotels, homeless shelters, and recreational and other vehicles.

36 § 2. This act shall take effect immediately.