

# STATE OF NEW YORK

3714

2025-2026 Regular Sessions

## IN SENATE

January 29, 2025

Introduced by Sens. LANZA, MATTERA -- 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 executive law and the penal law, in relation to  
preventing certain sex offenders who are released on parole or  
sentenced to probation from entering public, association or free  
libraries

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

1 Section 1. Subdivision 14 of section 259-c of the executive law, as  
2 amended by section 38-b of subpart A of part C of chapter 62 of the laws  
3 of 2011, is amended to read as follows:  
4 14. notwithstanding any other provision of law to the contrary, where  
5 a person serving a sentence for an offense defined in article one  
6 hundred thirty, one hundred thirty-five or two hundred sixty-three of  
7 the penal law or section 255.25, 255.26 or 255.27 of the penal law and  
8 the victim of such offense was under the age of eighteen at the time of  
9 such offense or such person has been designated a level three sex offen-  
10 der pursuant to subdivision six of section one hundred sixty-eight-1 of  
11 the correction law, is released on parole or conditionally released  
12 pursuant to subdivision one or two of this section, the board shall  
13 require, as a mandatory condition of such release, that such sentenced  
14 offender shall refrain from knowingly entering into or upon any school  
15 grounds, as that term is defined in subdivision fourteen of section  
16 220.00 of the penal law, or any public library, association library or  
17 free library, as defined in subdivision two of section two hundred  
18 fifty-three of the education law, or any other facility or institution  
19 primarily used for the care or treatment of persons under the age of  
20 eighteen while one or more of such persons under the age of eighteen are  
21 present, provided however, that when such sentenced offender is a regis-  
22 tered student or participant or an employee of such facility or institu-

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

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1 tion or entity contracting therewith or has a family member enrolled in  
2 such facility or institution, such sentenced offender may, with the  
3 written authorization of [~~his or her~~] their parole officer and the  
4 superintendent or chief administrator of such facility, institution or  
5 grounds, enter such facility, institution or upon such grounds for the  
6 limited purposes authorized by the parole officer and superintendent or  
7 chief officer. Nothing in this subdivision shall be construed as  
8 restricting any lawful condition of supervision that may be imposed on  
9 such sentenced offender.

10 § 2. Subdivision 4-a of section 65.10 of the penal law, as amended by  
11 chapter 67 of the laws of 2008, is amended to read as follows:

12 4-a. Mandatory conditions for sex offenders. (a) When imposing a  
13 sentence of probation or conditional discharge upon a person convicted  
14 of an offense defined in article one hundred thirty, two hundred thir-  
15 ty-five or two hundred sixty-three of this chapter, or section 255.25,  
16 255.26 or 255.27 of this chapter, and the victim of such offense was  
17 under the age of eighteen at the time of such offense or such person has  
18 been designated a level three sex offender pursuant to subdivision six  
19 of section [~~168-1~~] one hundred sixty-eight-1 of the correction law, the  
20 court shall require, as a mandatory condition of such sentence, that  
21 such sentenced offender shall refrain from knowingly entering into or  
22 upon any school grounds, as that term is defined in subdivision fourteen  
23 of section 220.00 of this chapter, or any public library, association  
24 library or free library, as defined in subdivision two of section two  
25 hundred fifty-three of the education law, or any other facility or  
26 institution primarily used for the care or treatment of persons under  
27 the age of eighteen while one or more of such persons under the age of  
28 eighteen are present, provided however, that when such sentenced offen-  
29 der is a registered student or participant or an employee of such facil-  
30 ity or institution or entity contracting therewith or has a family  
31 member enrolled in such facility or institution, such sentenced offender  
32 may, with the written authorization of [~~his or her~~] their probation  
33 officer or the court and the superintendent or chief administrator of  
34 such facility, institution or grounds, enter such facility, institution  
35 or upon such grounds for the limited purposes authorized by the  
36 probation officer or the court and superintendent or chief officer.  
37 Nothing in this subdivision shall be construed as restricting any lawful  
38 condition of supervision that may be imposed on such sentenced offender.

39 (b) When imposing a sentence of probation or conditional discharge  
40 upon a person convicted of an offense for which registration as a sex  
41 offender is required pursuant to subdivision two or three of section one  
42 hundred sixty-eight-a of the correction law, and the victim of such  
43 offense was under the age of eighteen at the time of such offense or  
44 such person has been designated a level three sex offender pursuant to  
45 subdivision six of section one hundred sixty-eight-1 of the correction  
46 law or the internet was used to facilitate the commission of the crime,  
47 the court shall require, as mandatory conditions of such sentence, that  
48 such sentenced offender be prohibited from using the internet to access  
49 pornographic material, access a commercial social networking website,  
50 communicate with other individuals or groups for the purpose of promot-  
51 ing sexual relations with persons under the age of eighteen, and commu-  
52 nicate with a person under the age of eighteen when such offender is  
53 over the age of eighteen, provided that the court may permit an offender  
54 to use the internet to communicate with a person under the age of eigh-  
55 teen when such offender is the parent of a minor child and is not other-  
56 wise prohibited from communicating with such child. Nothing in this

1 subdivision shall be construed as restricting any other lawful condition  
2 of supervision that may be imposed on such sentenced offender. As used  
3 in this subdivision, a "commercial social networking website" shall mean  
4 any business, organization or other entity operating a website that  
5 permits persons under eighteen years of age to be registered users for  
6 the purpose of establishing personal relationships with other users,  
7 where such persons under eighteen years of age may: (i) create web pages  
8 or profiles that provide information about themselves where such web  
9 pages or profiles are available to the public or to other users; (ii)  
10 engage in direct or real time communication with other users, such as a  
11 chat room or instant messenger; and (iii) communicate with persons over  
12 eighteen years of age; provided, however, that, for purposes of this  
13 subdivision, a commercial social networking website shall not include a  
14 website that permits users to engage in such other activities as are not  
15 enumerated herein.

16 § 3. This act shall take effect immediately.