

STATE OF NEW YORK

4738

2025-2026 Regular Sessions

IN SENATE

February 12, 2025

Introduced by Sens. SEPULVEDA, PARKER -- read twice and ordered printed,
and when printed to be committed to the Committee on Finance

AN ACT creating a temporary New York state commission on sex offender
supervision and management and providing for the repeal of such
provisions upon expiration thereof

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

1 Section 1. Legislative findings and intent. The legislature hereby
2 finds and declares that persons convicted of a sex offense present a
3 danger to the public. It is necessary that these offenders receive
4 appropriate supervision and treatment designed to reduce the risk of
5 re-offense in order to ensure the safety, health and welfare of the
6 communities in which convicted sex offenders reside. The legislature
7 further finds that New York's state prison system does not adequately
8 prepare incarcerated individuals for a safe return to the community upon
9 the completion of their sentence. Lack of treatment during incarceration
10 creates a threat to public safety by increasing the likelihood that
11 incarcerated individuals released to the community will be unable to
12 successfully transition back to society and therefore heightens the risk
13 of re-offense. This is especially true for sex offenders who often do
14 not find appropriate housing and treatment programs in the community.
15 Further, the division of parole, local probation departments and social
16 services agencies are often unable to locate suitable housing for
17 convicted sex offenders. This lack of housing has resulted in an unac-
18 ceptable level of concentration of sex offenders in certain residential
19 areas.

20 § 2. A temporary state commission, to be known as the New York state
21 commission on sex offender supervision and management, hereinafter
22 referred to as the commission, is hereby created to examine, evaluate,
23 and make recommendations concerning the effectiveness of programs
24 involving incarcerated individuals who are required to register as a sex

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

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1 offender pursuant to article 6-C of the correction law released from
2 state and local correctional facilities. The commission shall investi-
3 gate all factors that impact the risk of recidivism, and lead to the
4 concentration of sex offenders in certain residential areas. The commis-
5 sion shall analyze the impact of existing policies and practices and
6 compare such policies and practices of this state to those of other
7 states and the federal government. The commission shall collect data
8 from state and federal agencies and may analyze any current research
9 deemed relevant and appropriate. Specifically, the commission shall
10 examine at least the following:

11 (a) the existence of concentrations of registered sex offenders in
12 certain residential areas and municipalities and the circumstances that
13 caused such concentrations to exist;

14 (b) the practices and procedures of the division of parole, local
15 probation departments and local social services districts in investigat-
16 ing and approving residences for convicted sex offenders;

17 (c) the availability of appropriate housing for convicted sex offen-
18 ders;

19 (d) the adequacy of supervision and monitoring of registered sex
20 offenders under the supervision of the division of parole or serving a
21 sentence of probation; and

22 (e) the effectiveness and availability of existing sex offender treat-
23 ment programs and the need for additional sex offender treatment
24 programs in prison, local correctional facilities and the community.

25 § 3. The commission shall consist of thirteen members, to be appointed
26 as follows: three members shall be appointed by the governor, one each
27 from the department of corrections and community supervision, the divi-
28 sion of parole, and the office of probation and correctional alterna-
29 tives; six members, with three appointments by the temporary president
30 of the senate and three by the speaker of the assembly, shall be repre-
31 sentative of community-based providers of employment, education, housing
32 and other services used by individuals returning to society from prison,
33 criminal justice advocates, victim advocacy groups, and academic profes-
34 sionals in the field of criminal justice; one member shall be appointed
35 by the minority leader of the senate; and one member shall be appointed
36 by the minority leader of the assembly. The remaining members shall be
37 the head or designee of the division of the criminal justice services
38 and the head or designee of the office of temporary and disability
39 assistance. The chairperson of the commission shall be the head or
40 designee of the division of criminal justice services. The vice-chair-
41 person of the commission shall be a representative of one of the commu-
42 nity-based organizations and appointed by the chairperson. Vacancies in
43 the membership of the commission and among its officers shall be filled
44 in the manner provided for original appointments or designations.

45 § 4. The members of the commission shall receive no compensation for
46 their services, but shall be allowed their actual and necessary expenses
47 incurred in the performance of their duties hereunder. To the maximum
48 extent feasible, the commission shall be entitled to request and receive
49 and shall utilize and be provided with such facilities, resources, and
50 data of any court, department, division, board, bureau, commission, or
51 agency of the state or any political subdivision thereof as it deems
52 necessary or desirable to carry out properly its powers and duties here-
53 under.

54 § 5. For the accomplishment of its purposes, the commission shall be
55 authorized and empowered to undertake any studies, inquiries, surveys or
56 analyses it may deem relevant in cooperation with or by agreement with

1 any other public or private agency. The commission shall meet and hold
2 public hearings or private meetings within or without the state, and
3 shall have all the powers of a legislative committee pursuant to the
4 legislative law.

5 § 6. The commission shall make a report of its findings, including any
6 recommendations for legislative action as it may deem necessary and
7 appropriate, to the governor, the temporary president of the senate, and
8 the speaker of the assembly no later than one year after the effective
9 date of this act.

10 § 7. This act shall take effect immediately and shall expire and be
11 deemed repealed 1 year after such effective date; provided that the
12 appointment of members to the New York state commission on sex offender
13 supervision and management shall be completed within 90 days of such
14 effective date.