



NEW YORK STATE SENATOR

Michael Venditto

# **Senator Venditto Announces Senate Passage of His Legislation To Protect the Next Generation of New Yorkers**

Michael Venditto

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### ***Bill Will Keep Our Children Safe From Sex Offenders***

New York State Senator Michael Venditto, (R, C, I- Massapequa) announced today the Senate passage of his legislation (S.3925) in response to the recent New York State Court of Appeals case that struck down the Nassau County residency restrictions for sex offenders.

S.3925, authorizes municipalities to establish residency restrictions for sex offenders required to register with the division of criminal justice services.

“As a former Nassau County Legislator, a current State Senator and a Father, I know this bill is very important to protecting our children and our families from dangerous sexual predators,” said Senator Venditto.

On February 17, 2015 the New York State Court of Appeals ruled in *People v. Diack*, overturning Nassau county Local Law 4-2006 which prohibited all registered sex offenders from residing within 1000 feet of a school. 2015 NY Slip Op 01376. The Court ruled that the extensive statutory scheme created by the legislature with respect to sex offenders and their management demonstrated an all encompassing legislative intent and the Nassau County local law was preempted by state law. Since the creation of the sex offender registry, many municipalities across the state have chosen to enact similar laws.

Municipalities are empowered to create local laws to respond to their particular needs, which naturally differ from community to community. Local laws designed to protect children against registered sex offenders, are enacted in response to unique conditions and concerns of specific communities and should act in complement with existing state law.

This legislation, along with three other bills which were also approved today, were announced as a joint-investigation report from the Majority Coalition which uncovered startling violations of residency restrictions and a major loophole in the law.

The joint-investigation uncovered convicted pedophiles violating state law by living within 1,000 feet of grade schools with Pre-K programs and brought to light over a dozen sex offenders residing within 1,000 feet of stand-alone Universal Pre-K programs not attached to grade schools—currently unprotected by state law.

“Together, as a state, we must take swift and smart legislative action to protect all children, our next generation of New Yorkers from sexual predators. This legislation will allow localities around the state to take into consideration local conditions and needs to protect families to provide our children with the opportunity to have a healthy, happy, and innocent childhood,” continued Senator Venditto.

## **related legislation**

### **[2015-S3925](#)**

[Sex Offenders](#), [Children](#), [Crime](#), [Megan’s Law](#)

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- Introduced
  - In Committee Assembly
  - In Committee Senate
- ◦ On Floor Calendar Assembly
- ◦ On Floor Calendar Senate
- ◦ Passed Assembly
- ◦ Passed Senate

- Delivered to Governor
- Signed By Governor
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[Authorizes municipalities to establish residency restrictions for sex offenders required to register with the division of criminal justice services](#)

February 20, 2015

In Assembly Committee

Sponsored by [Michael Venditto](#)

Do you support this bill?