

**RESOLUTION NO. 529 -2010, ADOPTING LOCAL LAW  
NO. 34 -2010, A LOCAL LAW TO STRENGTHEN CITIZEN  
PROTECTIONS AGAINST SEX OFFENDERS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on April 27, 2010, a proposed local law entitled, "**A LOCAL LAW TO STRENGTHEN CITIZEN PROTECTIONS AGAINST SEX OFFENDERS**"; now, therefore be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO. 34 -2010, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO STRENGTHEN CITIZEN PROTECTIONS  
AGAINST SEX OFFENDERS**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF  
SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the State of New York established a sex offender registry to assist law enforcement agencies and allow citizens to know when sex offenders are residing in their neighborhoods and communities.

This Legislature also finds that the County of Suffolk provided another layer of protection for its citizens by enacting Local Law No. 12-2006, which prohibits sex offenders from residing within one-quarter mile of any school, day-care center or playground.

This Legislature also finds that sex offenders sometimes establish transitory or permanent residence at hotels and motels and other guests of these establishments are unaware that they are living in close proximity to sex offenders.

This Legislature further determines that the County of Nassau amended its sex offender residency law to require sex offenders to disclose their sex offender status upon establishing residence at a hotel or motel. This law also requires hotels or motels to post a sign informing potential customers when one or more registered sex offenders are staying on premises.

This Legislature also finds that persons intending to stay at a hotel or motel in Suffolk County have a right to know if a sex offender is on premises so they can take appropriate action to protect themselves and their families.

Therefore, the purpose of this law is to require level 2 and 3 sex offenders to disclose their status when checking into a hotel or motel and to require hotels and motels to share this information with their guests by posting appropriate signage.

**Section 2. Definitions.**

“DOMICILE” – a person’s true, fixed, permanent home or fixed place of habitation.

“RESIDENCE” – the place where a person sleeps, which may include more than one location and may be mobile and transitory.

“HOTEL OR MOTEL” – any establishment regularly used to provide lodging for travelers and other paying guests.

“REGISTERED SEX OFFENDER” – a person who has been classified as a Level 2 or Level 3 sex offender and who is required to register with the New York State Division of Criminal Justice Services, or other agency having jurisdiction, pursuant to the provisions of Article 6-C of the NEW YORK CORRECTION LAW.

**Section 3. Disclosure Requirements.**

- A. Any registered sex offender shall notify the owner, manager or employee of a hotel or motel of his or her sex offender status at the time he or she establishes residence or domicile at said hotel or motel.
- B. A hotel or motel housing a registered sex offender shall be required to post a sign in a prominent and visible area behind their registration desk which informs potential customers or guests that there are one or more registered sex offenders staying on the premises. The lettering of the sign shall be in at least thirty-six point print.
- C. If a person is making a reservation via the internet or by telephone to stay at such hotel or motel, the hotel or motel shall inform the customer at such time that one or more sex offenders are staying on the premises.

**Section 4. Penalties.**

Any intentional violation of this law shall constitute a violation punishable by a fine not to exceed two hundred-fifty dollars (\$250). Each day in which a violation continues shall constitute a separate violation.

**Section 5. Applicability.**

This law shall apply to actions occurring on or after the effective date of this law.

**Section 6. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 7. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 8. Effective Date.**

This law shall take effect on the sixtieth day (60) immediately subsequent to its filing in the Office of the Secretary of State.

[ ] Brackets denote deletion of existing language  
\_\_\_ Underlining denotes addition of new language

DATED: June 8, 2010

EFFECTIVE PURSUANT TO SECTION 2-15(D) OF THE SUFFOLK COUNTY CHARTER,  
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JULY 9, 2010

After a public hearing duly held on June 21, 2010  
Filed with the Secretary of State on July 22, 2010