

New York State Sex Offender Registry
Registerable Offenses
Effective April 13, 2007

The following list contains the New York State Penal Law statutes for which registration as a sex offender is required. Registration as a sex offender is required upon a **conviction** of a listed offense or a **conviction for an attempt to commit** a listed offense or a conviction of or a conviction for an attempt to commit a listed offense as a hate crime or a crime of terrorism. Additionally, registration as a sex offender is required upon a conviction of or a conviction for an attempt to commit certain listed offenses as a sexually motivated felony pursuant to Penal Law §130.91.

Penal Law Statute	Offense Class	Offense
130.20	A Misdemeanor	sexual misconduct
130.25	E Felony	rape in the third degree
130.30	D Felony	rape in the second degree
130.35	B Felony	rape in the first degree
130.40	E Felony	criminal sexual act in the third degree
130.40	E Felony	sodomy in the third degree
130.45	D Felony	criminal sexual act in the second degree
130.45	D Felony	sodomy in the second degree
130.50	B Felony	criminal sexual act in the first degree
130.50	B Felony	sodomy in the first degree
130.52*	A Misdemeanor	forcible touching

130.53	E Felony	persistent sexual abuse
130.55*	B Misdemeanor	sexual abuse in the third degree
130.60	A Misdemeanor	sexual abuse in the second degree
130.65	D Felony	sexual abuse in the first degree
130.65-a	E Felony	aggravated sexual abuse in the fourth degree
130.66	D Felony	aggravated sexual abuse in the third degree
130.67	C Felony	aggravated sexual abuse in the second degree
130.70	B Felony	aggravated sexual abuse in the first degree
130.75	B Felony	course of sexual conduct against a child in the first degree
130.80	D Felony	course of sexual conduct against a child in the second degree
130.90	D Felony	facilitating a sex offense with a controlled substance
130.91	Felony – Class depends upon underlying offense	sexually motivated felony
130.95	A-II Felony	predatory sexual assault
130.96	A-II Felony	predatory sexual assault against a child
135.05**	A Misdemeanor	unlawful imprisonment in the second degree
135.10**	E Felony	unlawful imprisonment in the first degree

135.20**	B Felony	kidnapping in the second degree
135.25**	A-1 Felony	kidnapping in the first degree
230.04****	A Misdemeanor	patronizing a prostitute in the third degree
230.05	E Felony	patronizing a prostitute in the second degree
230.06	D Felony	patronizing a prostitute in the first degree
230.30(2)	C Felony	promoting prostitution in the second degree
230.32	B Felony	promoting prostitution in the first degree
230.33	B Felony	compelling prostitution
235.22	D Felony	disseminating indecent material to minors in the first degree
250.45(2), (3) and (4)****	E Felony	unlawful surveillance in the second degree
250.50	D Felony	unlawful surveillance in the first degree
255.25	E Felony	Incest (committed prior to 11/1/06)
255.25	E Felony	Incest in the third degree
255.26	D Felony	Incest in the second degree
255.27	B Felony	Incest in the first degree
263.05	C Felony	use of a child in a sexual performance
263.10	D Felony	promoting an obscene sexual performance by a child

263.11	E Felony	possessing an obscene sexual performance by a child
263.15	D Felony	promoting a sexual performance by a child
263.16	E Felony	possessing a sexual performance by a child

- * A registerable offense only if the victim is less than eighteen years of age or where the defendant has a prior conviction for a sex offense, a sexually violent offense, forcible touching or sexual abuse in the third degree or an attempt thereof even if registration was not required for the prior conviction; regardless of when the prior conviction occurred.
- ** A registerable offense only if the victim is less than seventeen years old and the offender is not the parent of the victim.
- *** A registerable offense only if the person patronized is in fact less than seventeen years old.
- **** A registerable offense unless the trial court finds that registration would be unduly harsh and inappropriate. Please note that an attempt to commit this offense does not require registration.
- For more detailed information on the specific statutes, access the following site:
 - [New York State Assembly's Consolidated Laws](http://www.nysenate.gov/legislation/laws/PC) and choose the "Penal" selection.

All information was obtained from the New York State Division of Criminal Justice Services website: <http://criminaljustice.state.ny.us/nsor/sortab1.htm>