

# Warren County Board of Supervisors

## RESOLUTION NO. 734 OF 2022

**RESOLUTION INTRODUCED BY SUPERVISORS SEEBER, HOGAN, BRAYMER, LEGGETT AND DRISCOLL**

### **RESOLUTION ENCOURAGING THE STATE LEGISLATURE AND GOVERNOR TO ENACT LEGISLATION TO REQUIRE REPORTING OF SEX OFFENDERS IN SHORT TERM RENTALS**

#### ***RESOLUTION TABLED AND REFERRED TO THE CRIMINAL JUSTICE & PUBLIC SAFETY COMMITTEE***

WHEREAS, *Megan's Law* is named after seven-year-old Megan Kanka, a New Jersey girl raped and killed by a known registered sex offender who had moved across the street from the family without their knowledge, and

WHEREAS, in the wake of the tragedy, the Kankas sought to have local communities warned about sex offenders in the area, and

WHEREAS, all states now have a form of *Megan's Law*, and

WHEREAS, New York State's version of *Megan's Law*, named The Sex Offender Registration Act (SORA), was signed by Governor Pataki in July 1995, and

WHEREAS, in May 1996, Congress amended the Violent Crime Control and Law Enforcement Act of 1994 to require the release of relevant information to protect the public from sexually violent offenders, and

WHEREAS, on May 17, 1996, President Clinton signed this federal version of *Megan's Law*, which mandated uniform sex offender registration in all 50 states, providing for community notification by allowing states to disclose information about registered sex offenders, and

WHEREAS, in 2006, the State of New York strengthened NY's *Megan's Law* to require Level 1 offenders (low risk) to register for 20 years, unless they have a designation (e.g. sexual predator, sexually violent offender, or predicate sex offender), in which case they must register for life, and Level 2 offenders (moderate risk) and Level 3 offenders (high risk) must register for life, and

WHEREAS, over the past five years, the popularity of short-term rentals, like AirBNB, VRBO, and other short-term rental platforms has dramatically increased across the nation and state, and

WHEREAS, many states, including Texas and Florida, are considering legislation to authorize municipalities to enact local laws to ban sex offenders or restrict sex offender activity with respect to short-term rentals, and

WHEREAS, state law governing sexual predators from using short-term rentals has not moved fast enough with the change in how people decide to vacation, and

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WHEREAS, parents have the right to know who their neighbors are and should be comfortable letting their children play safely outdoors on their own property, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors encourages the Governor and State Legislature to enact legislation that would:

- Require any registered sex offender staying at a short-term rental in a residential neighborhood to inform the STR host owner, and/or managing company 48 hours before arriving on the premises.
  - The STR host, owner/or managing company should be required to inform local police, as well as any neighbor within 1,000 feet of that STR
  - Failure to do so would result in immediate imprisonment for the registered offender and a \$10,000 fine, respectively for the STR host, owner, and/or managing company.
- Prohibit sex offenders from acting as hosts, property managers, or owners of STRs.
- Prohibit sex offenders from being an on-site employee of the STR.
- Require this information to be included as part of the state's sex offender registry or local registry,

and be it further

RESOLVED, that the Clerk of the Board of Supervisors shall forward copies of this resolution to the Governor of the State of New York, the New York State Legislature, and all other deemed necessary and proper.