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By: Delegates Doory and Dembrow

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Assigned to: Judiciary

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CHAPTER _____

1 AN ACT concerning

2 **Crimes and Punishments - ~~Sexual~~ Crimes Against Children and Sex Offenders -**
3 **Registration**

4 FOR the purpose of requiring a supervising authority to send notice to specified agencies
5 and individuals when an individual who was convicted of a specified ~~sexual~~ crime is
6 released or escapes; requiring a ~~an~~ ~~sexual~~ offender to register with a supervising
7 authority on a specified date; requiring the supervising authority to provide the
8 ~~sexual~~ offender with specified information when the ~~sexual~~ offender registers;
9 requiring the supervising authority to send the registration statement to the
10 Department of Public Safety and Correctional Services; requiring the Department
11 to maintain a central registry of ~~sexual~~ offenders; requiring the Department to
12 reimburse supervising authorities for the cost of processing the registration
13 statement; requiring the Department to transmit the conviction data and
14 fingerprints of a ~~an~~ ~~sexual~~ offender to the Federal Bureau of Investigation;
15 requiring the Department to send a copy of the registration statement to certain
16 persons; requiring the Department to send written notice of the registration
17 statement to the local law enforcement agency and county superintendent of schools
18 in the county where the ~~sexual~~ offender will reside; ~~authorizing the Department and~~
19 ~~local law enforcement agencies~~ requiring the Department to provide notice of the
20 registration statement to specified organizations and persons under certain
21 circumstances; allowing certain local law enforcement agencies to make certain
22 disclosures; providing for the contents of certain registration statements; requiring a
23 ~~an~~ ~~sexual~~ offender who changes residence to send written notice of the change to
24 the Department; requiring the Department to give notice of the change of residence
25 to the local law enforcement agency in the county where the new residence is
26 located; requiring the Department to send verification forms to each registered
27 ~~sexual~~ offender for a specified period of time; altering certain time periods;
28 requiring the Secretary of Public Safety and Correctional Services to adopt

2
1 regulations to implement the Act; requiring the Department to conduct certain
2 public education and awareness programs; providing for the application of the Act;
3 defining certain terms; and generally relating to ~~sexual~~ the registration of offenders.

4 BY renumbering

5 Article 27 - Crimes and Punishments
6 Section 792(d), (e), (f), and (g), respectively
7 to be Section 792(e), (f), (g), and (d), respectively
8 Annotated Code of Maryland
9 (1996 Replacement Volume)

10 BY repealing and reenacting, with amendments,

11 Article 27 - Crimes and Punishments
12 Section 792
13 Annotated Code of Maryland
14 (1996 Replacement Volume)
15 (As enacted by Section 1 of this Act)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That Section(s) 792(d), (e), (f), and (g), respectively, of Article 27 -
18 Crimes and Punishments of the Annotated Code of Maryland be renumbered to be
19 Section(s) 792(e), (f), (g), and (d), respectively.

20 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
21 read as follows:

22 **Article 27 - Crimes and Punishments**

23 792.

24 (a) (1) In this section the following words have the meanings indicated.

25 [(2) "Child sexual offender" means a person who:

26 (i) Has been convicted of violating § 35C of this article for an offense
27 involving sexual abuse;

28 (ii) Has been convicted of violating any of the provisions of §§ 462
29 through 464B of this article for an offense involving an individual under the age of 15
30 years;

31 (iii) Has been granted probation before judgment after being found
32 guilty of any of the offenses listed in items (i) and (ii) of this paragraph and has been
33 ordered by the court, as a condition of probation, to comply with the requirements of this
34 section;

35 (iv) Has been convicted of, or granted probation before judgment after
36 being found guilty of, violating § 464C of this article and has been ordered by the court,
37 as a part of a sentence or condition of probation, to comply with the requirements of this
38 section;

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1 (v) Has been found not criminally responsible for any of the offenses
2 listed in items (i) and (ii) of this section; or

3 (vi) Has been convicted in another state of an offense that, if
4 committed in this State, would constitute one of the offenses listed in items (i) and (ii) of
5 this paragraph.]

6 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC SAFETY AND
7 CORRECTIONAL SERVICES.

8 (3) "Local law enforcement agency" means the law enforcement agency in a
9 county that has been designated by resolution of the county governing body as the
10 primary law enforcement unit in the county.

11 (4) (i) "Release" means any type of release from the custody of a
12 supervising authority.

13 (ii) "Release" includes release on parole, mandatory supervision, work
14 release, and any type of temporary leave other than leave that is granted on an emergency
15 basis.

16 (iii) "Release" does not include an escape.

17 (5) ~~SEXUAL~~ OFFENDER" MEANS A PERSON WHO:

18 (I) HAS BEEN CONVICTED OF VIOLATING § 1, § 2, OR § 338 OF THIS
19 ARTICLE;

20 (II) HAS BEEN CONVICTED OF VIOLATING § 337 OF THIS ARTICLE IF
21 THE VICTIM IS UNDER THE AGE OF 18 YEARS;

22 (III) HAS BEEN CONVICTED OF THE COMMON LAW CRIME OF FALSE
23 IMPRISONMENT IF THE VICTIM IS UNDER THE AGE OF 18 YEARS AND THE OFFENDER
24 IS NOT THE VICTIM'S PARENT;

25 (IV) HAS BEEN CONVICTED OF VIOLATING § 35C OF THIS ARTICLE
26 FOR AN OFFENSE INVOLVING SEXUAL ABUSE;

27 (V) HAS BEEN CONVICTED OF VIOLATING ANY OF THE
28 PROVISIONS OF §§ 462 THROUGH 464B OF THIS ARTICLE;

29 (VI) HAS BEEN CONVICTED OF VIOLATING § 464C OF THIS ARTICLE
30 IF THE VICTIM IS UNDER THE AGE OF 18 YEARS, PROVIDED THAT THE COURT
31 ORDERS THE OFFENDER TO REGISTER UNDER THIS SECTION;

32 (VII) HAS BEEN CONVICTED OF SOLICITING A MINOR TO ENGAGE IN
33 SEXUAL CONDUCT;

34 (VIII) HAS BEEN CONVICTED OF VIOLATING § 419A OF THIS ARTICLE;

35 (IX) HAS BEEN CONVICTED OF VIOLATING § 15 OF THIS ARTICLE OR
36 ANY OF THE PROVISIONS OF §§ 426 THROUGH 433 OF THIS ARTICLE IF THE INTENDED
37 PROSTITUTE IS UNDER THE AGE OF 18 YEARS;

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1 (X) HAS BEEN CONVICTED OF A CRIME THAT INVOLVES CONDUCT
 2 THAT BY ITS NATURE IS A SEXUAL OFFENSE AGAINST AN INDIVIDUAL UNDER THE
 3 AGE OF 18 YEARS;

4 (XI) HAS BEEN CONVICTED OF AN ATTEMPT TO COMMIT A CRIME
 5 LISTED IN ITEMS (I) THROUGH (X) OF THIS PARAGRAPH;

6 (XII) HAS BEEN GRANTED PROBATION BEFORE JUDGMENT AFTER
 7 BEING FOUND GUILTY OF ANY OF THE OFFENSES LISTED IN ITEMS (I) THROUGH (XI)
 8 OF THIS PARAGRAPH AND HAS BEEN ORDERED BY THE COURT, AS A CONDITION OF
 9 PROBATION, TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION;

10 (XIII) HAS BEEN FOUND NOT CRIMINALLY RESPONSIBLE FOR ANY OF
 11 THE OFFENSES LISTED IN ITEMS (I) THROUGH (XI) OF THIS PARAGRAPH; OR

12 (XIV) HAS BEEN CONVICTED IN ANOTHER STATE OF AN OFFENSE
 13 THAT, IF COMMITTED IN THIS STATE, WOULD CONSTITUTE ONE OF THE OFFENSES
 14 LISTED IN ITEMS (I) THROUGH (XI) OF THIS PARAGRAPH.

15 [(5)] (6) "Supervising authority" means:

16 (i) If the [child] ~~sexual~~ offender is in the custody of a facility
 17 operated by the Department of Public Safety and Correctional Services, the Secretary of
 18 Public Safety and Correctional Services;

19 (ii) If the [child] ~~sexual~~ offender is in the custody of a local or
 20 regional detention center, including an offender who is participating in a home detention
 21 program, the administrator of the facility;

22 (iii) If the [child] ~~sexual~~ offender is granted probation before
 23 judgment, probation after judgment, or a suspended sentence, the court that granted the
 24 probation or suspended sentence;

25 (iv) If the [child] ~~sexual~~ offender is in the custody of the Patuxent
 26 Institution, the Director of the Patuxent Institution;

27 (v) If the [child] ~~sexual~~ offender is in the custody of a facility
 28 operated by the Department of Health and Mental Hygiene, the Secretary of Health and
 29 Mental Hygiene; ~~or~~

30 (vi) If the [child] ~~sexual~~ offender's sentence does not include a term
 31 of imprisonment, the court in which the offender was convicted; OR

32 (VII) IF THE OFFENDER IS IN THE STATE UNDER THE TERMS AND
 33 CONDITIONS OF THE INTERSTATE COMPACT AGREEMENTS UNDER ARTICLE 41, §§
 34 4-801 AND 4-1201 THROUGH 4-1211 OF THE CODE, THE SECRETARY OF PUBLIC SAFETY
 35 AND CORRECTIONAL SERVICES.

36 (b) (1) Subject to paragraph (2) of this subsection, on the earlier of the date
 37 that the [child] ~~sexual~~ offender is released, is granted probation before judgment, is
 38 granted probation after judgment, is granted a suspended sentence, or receives a sentence
 39 that does not include a term of imprisonment the supervising authority shall send written

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1 notice of the release of the [child] ~~sexual~~ offender to the local law enforcement agency
2 in the county where the ~~SEXUAL~~ offender will reside.

3 (2) A written notice required under paragraph (1) of this subsection shall
4 include:

5 (i) The full name of the [child] ~~sexual~~ offender;

6 (ii) The [child] ~~sexual~~ offender's address, if available;

7 (iii) The [child] ~~sexual~~ offender's Social Security number;

8 (iv) A recent photograph of the [child] ~~sexual~~ offender; and

9 (v) A brief description of the crime for which the [child] ~~sexual~~
10 offender was convicted, granted probation before judgment, or found not criminally
11 responsible.

12 (3) The same notice as required under paragraph (1) of this subsection shall
13 be sent to the following persons if such notice has been requested in writing about a
14 specific [child] ~~sexual~~ offender:

15 (i) The victim of the crime for which the [child] ~~sexual~~ offender was
16 convicted or, if the victim is a minor, the parents or legal guardian of the victim;

17 (ii) Any witness who testified against the [child] ~~sexual~~ offender in
18 any court proceedings involving the offense; and

19 (iii) Any person specified in writing by the State's Attorney.

20 (4) Information regarding any person who receives notice under paragraph
21 (3) of this subsection is confidential and may not be disclosed to the [child] ~~sexual~~
22 offender or any other person, agency, or entity.

23 (5) If a AN [child] ~~sexual~~ offender escapes from a facility, the supervising
24 authority of the facility shall immediately notify, by the most reasonable and expedient
25 means available:

26 (i) The local law enforcement agency in the jurisdiction in which the
27 ~~SEXUAL~~ offender resided before the ~~SEXUAL~~ offender was committed to the custody of
28 the supervising authority; and

29 (ii) Any person who is entitled to receive notice under paragraph (3)
30 of this subsection.

31 (6) If the ~~SEXUAL~~ offender is recaptured, the supervising authority shall
32 send notice, as soon as possible and in no event later than 2 working days after the
33 supervising authority learns of the recapture, to:

34 (i) The local law enforcement agency in the jurisdiction in which the
35 ~~SEXUAL~~ offender resided before the ~~SEXUAL~~ offender was committed to the custody of
36 the supervising authority; and

6

1 (ii) Any person who is entitled to receive notice under paragraph (3)
2 of this subsection.

3 (7) A supervising authority shall send any notice required under paragraphs
4 (3), (5)(ii), and (6)(ii) of this subsection to the last address provided to the supervising
5 authority for a person who is entitled to notice under paragraph (3) of this subsection.

6 (8) If a ~~AN~~ [child] ~~sexual~~ offender will reside after release in a municipal
7 corporation that has a police department, or, in the case where a ~~AN~~ [child] ~~sexual~~
8 offender escapes from a facility and the ~~SEXUAL~~ offender resided, before the ~~SEXUAL~~
9 offender was committed to the custody of a supervising authority, in a municipal
10 corporation that has a police department, a local law enforcement agency that receives a
11 notice from a supervising authority under this subsection shall send a copy of the notice
12 to the police department of the municipal corporation.

13 (c) (1) In this subsection, "resident" means a person who lives in this State at
14 the time the person:

- 15 (i) Is released;
- 16 (ii) Is granted probation before judgment;
- 17 (iii) Is granted probation after judgment;
- 18 (iv) Is granted a suspended sentence; or
- 19 (v) Receives a sentence that does not include a term of imprisonment.

20 (2) ~~A~~ ~~AN~~ [child] ~~sexual~~ offender shall register with the [local law
21 enforcement agency] SUPERVISING AUTHORITY:

22 (i) If the [child] ~~sexual~~ offender is a resident, [within 7 days after]
23 ON THE DATE THAT THE ~~SEXUAL~~ OFFENDER:

- 24 1. [Being] IS released;
- 25 2. [Being] IS granted probation before judgment;
- 26 3. [Being] IS granted probation after judgment;
- 27 4. [Being] IS granted a suspended sentence; or
- 28 5. [Receiving] RECEIVES a sentence that does not include a
29 term of imprisonment; or

30 (ii) If the [child] ~~sexual~~ offender is not a resident, within 7 days after
31 the earlier of THE DATE THAT THE ~~SEXUAL~~ OFFENDER:

- 32 1. [Establishing] ESTABLISHES a temporary or permanent
33 residence in this State; or
- 34 2. [Applying] APPLIES for a driver's license in this State.

35 (3) WHEN A ~~AN~~ ~~SEXUAL~~ OFFENDER REGISTERS, THE SUPERVISING
36 AUTHORITY SHALL:

7

1 (I) INFORM THE ~~SEXUAL~~ OFFENDER THAT IF THE ~~SEXUAL~~
 2 OFFENDER CHANGES RESIDENCE ADDRESS TO ANOTHER STATE THAT HAS A
 3 REGISTRATION REQUIREMENT, THE ~~SEXUAL~~ OFFENDER SHALL REGISTER THE NEW
 4 ADDRESS WITH THE DESIGNATED LAW ENFORCEMENT AGENCY OF THAT STATE
 5 WITHIN ~~40~~ 7 DAYS AFTER ESTABLISHING THE NEW RESIDENCE;

6 (II) EXPLAIN THE REQUIREMENTS OF THIS SECTION TO THE
 7 ~~SEXUAL~~ OFFENDER, INCLUDING THE DUTIES OF A ~~SEXUAL~~ OFFENDER WHEN THE
 8 ~~SEXUAL~~ OFFENDER CHANGES RESIDENCE ADDRESS;

9 (III) GIVE WRITTEN NOTICE TO THE ~~SEXUAL~~ OFFENDER OF THE
 10 REQUIREMENTS OF THIS SECTION; AND

11 (IV) OBTAIN A STATEMENT SIGNED BY THE ~~SEXUAL~~ OFFENDER
 12 ACKNOWLEDGING THAT THE SUPERVISING AUTHORITY EXPLAINED THE
 13 REQUIREMENTS OF THIS SECTION AND PROVIDED WRITTEN NOTICE TO THE
 14 ~~SEXUAL~~ OFFENDER.

15 (d) (1) Registration shall consist of a statement signed by a AN [child] ~~sexual~~
 16 offender which shall include:

17 (i) The [child] ~~sexual~~ offender's name, address, and place of
 18 employment;

19 (ii) A description of the crime for which the [child] ~~sexual~~ offender
 20 was convicted, granted probation before judgment, or found not criminally responsible;

21 (iii) The date that the [child] ~~sexual~~ offender was convicted, granted
 22 probation before judgment, or found not criminally responsible;

23 (iv) The jurisdiction in which the [child] ~~sexual~~ offender was
 24 convicted, granted probation before judgment, or found not criminally responsible;

25 (v) A list of any aliases that have been used by the [child] ~~sexual~~
 26 offender; and

27 (vi) The [child] ~~sexual~~ offender's Social Security number.

28 (2) The [local law enforcement agency] SUPERVISING AUTHORITY shall
 29 obtain a photograph and fingerprints of the [child] ~~sexual~~ offender and include copies of
 30 the photograph and fingerprints in the registration statement.

31 (3) (i) As soon as possible and in no event later than ~~3~~ 5 working days
 32 after registration is completed, the [local law enforcement agency] SUPERVISING
 33 AUTHORITY shall send [a copy of] the registration statement to the Department [of
 34 Public Safety and Correctional Services].

35 (ii) The Department [of Public Safety and Correctional Services]
 36 shall maintain a central registry of [child] ~~sexual~~ offenders.

37 (iii) The Department [of Public Safety and Correctional Services]
 38 shall reimburse [the local law enforcement agencies] SUPERVISING AUTHORITIES for

- 8
 1 the cost of processing the registration statements of [child] ~~sexual~~ offenders, including
 2 the taking of fingerprints and photographs.
- 3 (4) AS SOON AS POSSIBLE AND IN NO EVENT LATER THAN ~~3~~ 5 WORKING
 4 DAYS AFTER RECEIVING THE CONVICTION DATA AND FINGERPRINTS OF A AN
 5 ~~SEXUAL~~ OFFENDER, THE DEPARTMENT SHALL TRANSMIT THE DATA AND
 6 FINGERPRINTS TO THE FEDERAL BUREAU OF INVESTIGATION IF THE BUREAU DOES
 7 NOT HAVE THAT INFORMATION.
- 8 (5) (i) Subject to subparagraph (ii) of this paragraph, upon written
 9 request to [a local law enforcement agency] THE DEPARTMENT, the [agency]
 10 DEPARTMENT shall send a copy of a registration statement to the person who submitted
 11 the request.
- 12 (ii) A request for a copy of a registration statement under
 13 subparagraph (i) of this paragraph shall contain:
- 14 1. The name and address of the person submitting the request;
 15 and
- 16 2. The reason for requesting the information.
- 17 (iii) [A local law enforcement agency] THE DEPARTMENT shall keep
 18 records of all written requests received under subparagraph (i) of this paragraph.
- 19 [(5)] (6) An elected public official, public employee, or public agency is
 20 immune from civil liability for damages arising out of any action relating to the provisions
 21 of this subsection, unless it is shown that the official, employee, or agency acted with gross
 22 negligence or in bad faith.
- 23 (e) (1) Subject to paragraph (3) of this subsection, as soon as possible and in no
 24 event later than 5 working days after receiving a registration statement, [a local law
 25 enforcement agency] THE DEPARTMENT shall send written notice of the registration
 26 statement to:
- 27 (I) THE LOCAL LAW ENFORCEMENT AGENCY IN THE COUNTY
 28 WHERE THE ~~SEXUAL~~ OFFENDER WILL RESIDE AND, IF APPLICABLE, A MUNICIPAL
 29 POLICE FORCE; AND
- 30 (II) [the] THE county superintendent, as defined in § 1-101 of the
 31 Education Article, in the county where the [child] ~~sexual~~ offender will reside.
- 32 (2) As soon as possible and in no event later than 5 working days after
 33 receiving notice from the [local law enforcement agency] DEPARTMENT under
 34 paragraph (1) of this subsection, a county superintendent shall send written notice of the
 35 registration statement to the principals of the schools within the supervision of the
 36 superintendent.
- 37 (3) In addition to the notice required under paragraph (1) of this
 38 subsection, THE DEPARTMENT ~~OR a local law enforcement agency may~~ SHALL provide
 39 notice of a registration statement to ~~the following organizations~~ ANY PERSON OR
 40 ORGANIZATION THAT THE DEPARTMENT DETERMINES MAY SERVE TO PROTECT

9

1 THE PUBLIC CONCERNING A SPECIFIC OFFENDER if THE DEPARTMENT ~~OR the agency~~
2 determines that such notice is necessary to protect the public ~~interest~~:

3 ~~(i) A community organization;~~

4 ~~(ii) A religious organization; and~~

5 ~~(iii) Any other organization that relates to children or youth.~~

6 (4) IN ADDITION TO THE DEPARTMENT, A LOCAL LAW ENFORCEMENT
7 AGENCY MAY ALSO MAKE THE DISCLOSURES REQUIRED UNDER THIS SUBSECTION.

8 ~~(4) (5) (I) [A] THE DEPARTMENT AND local law enforcement~~
9 ~~[agency] AGENCIES shall establish procedures for carrying out the notification~~
10 ~~requirements of paragraph (3) of this subsection, including the circumstances under and~~
11 ~~manner in which notification shall be provided.~~

12 (II) A LOCAL LAW ENFORCEMENT AGENCY AND THE
13 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES MAY NOT
14 RELEASE THE IDENTITY OF A VICTIM OF AN OFFENSE THAT REQUIRES
15 REGISTRATION UNDER THIS SECTION.

16 (6) A DISCLOSURE UNDER THIS SUBSECTION MAY NOT BE CONSTRUED
17 TO LIMIT OR PROHIBIT ANY OTHER DISCLOSURE PERMITTED OR REQUIRED UNDER
18 LAW.

19 (7) (I) EXCEPT FOR A REGISTRATION STATEMENT PROVIDED TO A
20 LAW ENFORCEMENT AGENCY, A REGISTRATION STATEMENT PROVIDED TO A
21 PERSON OR ORGANIZATION UNDER THIS SECTION SHALL INCLUDE THE
22 COMPLETED REGISTRATION FORM AND A COPY OF A PHOTOGRAPH OF THE
23 OFFENDER, BUT NEED NOT INCLUDE THE OFFENDER'S FINGERPRINTS.

24 (II) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL
25 SERVICES SHALL PROVIDE A LOCAL LAW ENFORCEMENT AGENCY WITH THE
26 COMPLETED REGISTRATION FORM AND THE OFFENDER'S PHOTOGRAPH AND
27 FINGERPRINTS.

28 ~~(8) An elected public official, public employee, or public agency is~~
29 ~~immune from civil liability for damages arising out of any action relating to the provisions~~
30 ~~of this subsection, unless it is shown that the official, employee, or agency acted with gross~~
31 ~~negligence or in bad faith.~~

32 [(f) On the earlier of the date that the child sexual offender is released, is granted
33 probation before judgment, is granted probation after judgment, is granted a suspended
34 sentence, or receives a sentence that does not include a term of imprisonment, the
35 supervising authority shall:

36 (1) Give written notice to a child sexual offender of the registration
37 requirements of this section; and

38 (2) Obtain a statement signed by the child sexual offender acknowledging
39 the receipt of the written notice.]

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1 [(g) If the supervising authority accepts supervision of and has legal authority over
2 a child sexual offender from another state under the terms and conditions of the
3 interstate compact agreement established under Article 41, § 4-801 or §§ 4-1201 through
4 4-1211 of the Code, the supervising authority shall:

5 (1) Give the child sexual offender written notice of the registration
6 requirements of this section; and

7 (2) Obtain a statement signed by the child sexual offender acknowledging
8 the receipt of the written notice.]

9 [(h)] (F) (1) If a AN [child] ~~sexual~~ offender changes residences, the offender
10 shall send written notice of the change within 7 days after the change occurs to the [local
11 law enforcement agency with whom the offender last registered] DEPARTMENT.

12 (2) As soon as possible and in no event later than ~~3~~ 5 working days after
13 receipt of the notice, the [local law enforcement agency] DEPARTMENT shall give notice
14 of the change to the [Department of Public Safety and Correctional Services] LOCAL
15 LAW ENFORCEMENT AGENCY IN WHOSE COUNTY THE NEW RESIDENCE IS LOCATED,
16 and if the new residence is in a different [jurisdiction] STATE THAT HAS A
17 REGISTRATION REQUIREMENT, to the [local] DESIGNATED law enforcement agency
18 in whose [jurisdiction] STATE the new residence is located.

19 [(i)] (G) ~~A~~ AN [child] ~~sexual~~ offender shall register with [a local law
20 enforcement agency] THE DEPARTMENT annually for 10 years after:

21 (1) The last date of release;

22 (2) The offender is granted probation before judgment, probation after
23 judgment, or a suspended sentence; or

24 (3) The offender receives a sentence that does not include a term of
25 imprisonment.

26 (H) ~~(1)~~ (1) THE DEPARTMENT SHALL MAIL A VERIFICATION FORM,
27 WHICH MAY NOT BE FORWARDED, ANNUALLY TO THE LAST REPORTED ADDRESS
28 OF EACH REGISTERED ~~SEXUAL~~ OFFENDER.

29 ~~(H)~~ (2) WITHIN 10 DAYS AFTER RECEIVING THE VERIFICATION FORM,
30 THE ~~SEXUAL~~ OFFENDER SHALL SIGN THE VERIFICATION FORM AND MAIL IT TO THE
31 DEPARTMENT.

32 [(j)] (I) If a AN [child] ~~sexual~~ offender will reside after release in a municipal
33 corporation that has a police department, or, in the case where a AN [child] ~~sexual~~
34 offender escapes from a facility and the offender resided, before the offender was
35 committed to the custody of a supervising authority, in a municipal corporation that has
36 a police department, [a local law enforcement agency with which a child sexual offender
37 registers or sends a change in registration under this section] THE DEPARTMENT shall
38 send a copy of the registration statement or change in registration to the police
39 department of the municipal corporation.

40 [(k)] (J) ~~A~~ AN [child] ~~sexual~~ offender who knowingly fails to register as
41 required by this section is guilty of a misdemeanor and on conviction is subject to

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1 imprisonment in the penitentiary for not more than 3 years or a fine of not more than
2 \$5,000 or both.

3 (K) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
4 SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

5 SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Public
6 Safety and Correctional Services shall conduct public education and awareness programs
7 to inform the public of its ability to obtain information regarding a ~~an~~ sexual offender
8 under this Act.

9 SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in
10 Section 5 of this Act, this Act shall be construed only prospectively to apply to offenses
11 that are committed on or after July 1, 1997, and may not be applied or interpreted to have
12 any effect on or application to any individual who commits an offense before July 1, 1997.

13 SECTION 5. AND BE IT FURTHER ENACTED, That a child sexual offender
14 who is subject to the requirements of Chapter 142 of the Acts of the General Assembly of
15 1995 and who committed the sexual offense before the effective date of this Act is subject
16 to the requirements of this Act.

17 SECTION 6. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 1997.