
By: Senator Collins (Baltimore County Administration) and Senator Stone

Introduced and read first time: January 24, 1997

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Child Sexual Offenders - Public Access to Registration Statements**

3 FOR the purpose of requiring local law enforcement agencies to provide copies of the
4 registration statements of certain child sexual offenders by zip code to certain
5 individuals who request that information under certain circumstances; authorizing
6 local law enforcement agencies to provide electronic access to copies of the
7 registration statements of certain child sexual offenders by zip code to certain
8 individuals who request that information on the Internet under certain
9 circumstances; and generally relating to public access to the registration statements
10 of child sexual offenders.

11 BY repealing and reenacting, with amendments,
12 Article 27 - Crimes and Punishments
13 Section 792(g)
14 Annotated Code of Maryland
15 (1996 Replacement Volume)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article 27 - Crimes and Punishments**

19 792.

20 (g) (1) Registration shall consist of a statement signed by a child sexual
21 offender which shall include:

22 (i) The child sexual offender's name, address, and place of
23 employment;

24 (ii) A description of the crime for which the child sexual offender was
25 convicted, granted probation before judgment, or found not criminally responsible;

26 (iii) The date that the child sexual offender was convicted, granted
27 probation before judgment, or found not criminally responsible;

28 (iv) The jurisdiction in which the child sexual offender was convicted,
29 granted probation before judgment, or found not criminally responsible;

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1 (v) A list of any aliases that have been used by the child sexual
2 offender; and

3 (vi) The child sexual offender's Social Security number.

4 (2) The local law enforcement agency shall obtain a photograph and
5 fingerprints of the child sexual offender and include copies of the photograph and
6 fingerprints in the registration statement.

7 (3) (i) As soon as possible and in no event later than 3 working days after
8 registration is completed, the local law enforcement agency shall send a copy of the
9 registration statement to the Department of Public Safety and Correctional Services.

10 (ii) The Department of Public Safety and Correctional Services shall
11 maintain a central registry of child sexual offenders.

12 (iii) The Department of Public Safety and Correctional Services shall
13 reimburse the local law enforcement agencies for the cost of processing the registration
14 statements of child sexual offenders, including the taking of fingerprints and photographs.

15 (4) (i) Subject to subparagraph (ii) of this paragraph, upon written
16 request to a local law enforcement agency, the agency shall send a copy of a registration
17 statement to the person who submitted the request.

18 (ii) A request for a copy of a registration statement under
19 subparagraph (i) of this paragraph shall contain:

20 1. The name and address of the person submitting the request;
21 and

22 2. The reason for requesting the information.

23 (iii) A local law enforcement agency shall keep records of all written
24 requests received under subparagraph (i) of this paragraph.

25 (5) (I) A PERSON MAY OBTAIN COPIES OF THE REGISTRATION
26 STATEMENTS FOR ALL CHILD SEXUAL OFFENDERS WHO RESIDE IN A PARTICULAR
27 ZIP CODE OR ZIP CODES BY SUBMITTING A WRITTEN REQUEST TO A LOCAL LAW
28 ENFORCEMENT AGENCY.

29 (II) THE LOCAL LAW ENFORCEMENT AGENCY SHALL SEND COPIES
30 OF THE REGISTRATION STATEMENTS FOR ALL CHILD SEXUAL OFFENDERS LIVING
31 WITHIN A PARTICULAR ZIP CODE OR ZIP CODES TO A PERSON WHO SUBMITS A
32 REQUEST UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT CONTAINS:

33 1. THE NAME AND ADDRESS OF THE PERSON SUBMITTING
34 THE REQUEST;

35 2. THE ZIP CODE OR ZIP CODES REQUESTED; AND

36 3. THE REASON FOR REQUESTING THE INFORMATION.

37 (III) A LOCAL LAW ENFORCEMENT AGENCY SHALL KEEP RECORDS
38 OF ALL WRITTEN REQUESTS RECEIVED UNDER THIS PARAGRAPH.

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1 (6) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A LOCAL
2 LAW ENFORCEMENT AGENCY MAY PROVIDE ELECTRONIC ACCESS TO COPIES OF
3 THE REGISTRATION STATEMENTS FOR ALL CHILD SEXUAL OFFENDERS WHO RESIDE
4 WITHIN A PARTICULAR ZIP CODE OR ZIP CODES TO A PERSON WHO SUBMITS A
5 REQUEST FOR SUCH INFORMATION ON THE INTERNET.

6 (II) A REQUEST FOR COPIES OF REGISTRATION STATEMENTS
7 UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL CONTAIN:

8 1. THE NAME AND ADDRESS OF THE PERSON SUBMITTING
9 THE REQUEST;

10 2. THE ZIP CODE OR ZIP CODES REQUESTED; AND

11 3. THE REASON FOR REQUESTING THE INFORMATION.

12 (III) A LOCAL LAW ENFORCEMENT AGENCY SHALL KEEP RECORDS
13 OF ALL REQUESTS RECEIVED UNDER THIS PARAGRAPH.

14 [[5]] (7) An elected public official, public employee, or public agency is
15 immune from civil liability for damages arising out of any action relating to the provisions
16 of this subsection, unless it is shown that the official, employee, or agency acted with gross
17 negligence or in bad faith.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 1997.