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**By:** ~~Senator Stone~~ Senators Stone and Collins (Baltimore County Administration)

Introduced and read first time: January 31, 1997

Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 21, 1997

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CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Child Sexual Offender - Registration Statements - Request for Copies**

3 FOR the purpose of ~~altering the conditions for obtaining from a local law enforcement~~  
4 ~~agency a copy of the registration statement of a child sexual offender~~ clarifying that  
5 a local law enforcement agency is required to send a copy of each child sexual  
6 offender registration statement on record with the agency to a person who submits  
7 a written request; authorizing a local law enforcement agency to provide electronic  
8 access to copies of certain registration statements to certain persons who request  
9 the information on the Internet; requiring the Department of Fiscal Services to  
10 report certain information to certain committees; and generally relating to child  
11 sexual offender registration statements.

12 BY repealing and reenacting, with amendments,  
13 Article 27 - Crimes and Punishments  
14 Section 792(g)  
15 Annotated Code of Maryland  
16 (1996 Replacement Volume)

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

19 **Article 27 - Crimes and Punishments**

20 792.

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

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

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

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

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

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

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

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

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

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

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

21 (4) (i) Subject to subparagraph (ii) of this paragraph, upon written  
22 request to a local law enforcement agency, the agency shall send [a copy of a registration  
23 statement] to the person who submitted the request ONE COPY OF EACH  
24 REGISTRATION STATEMENT ON RECORD WITH THE AGENCY.

25 (ii) A request {for a copy of a registration statement} under  
26 subparagraph (i) of this paragraph {shall contain:

27 1. The name and address of the person submitting the request;  
28 and

29 2. The reason for requesting the information};

30 ~~1. MAY ONLY BE MADE BY A PERSON WHOSE ADDRESS IS~~  
31 ~~LOCATED WITHIN THE JURISDICTION OF THE LOCAL LAW ENFORCEMENT AGENCY~~  
32 ~~TO WHICH THE REQUEST WAS SUBMITTED; AND~~

33 ~~2. SHALL CONTAIN THE NAME AND ADDRESS OF THE~~  
34 ~~PERSON SUBMITTING THE REQUEST.~~

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

37 (5) (D) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A  
38 LOCAL LAW ENFORCEMENT AGENCY MAY PROVIDE ELECTRONIC ACCESS TO COPIES

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1 OF THE REGISTRATION STATEMENTS ON RECORD WITH THE AGENCY TO A PERSON  
2 WHO SUBMITS A REQUEST FOR THE INFORMATION ON THE INTERNET.

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

5 1. THE NAME AND ADDRESS OF THE PERSON SUBMITTING  
6 THE REQUEST; AND

7 2. THE REASON FOR REQUESTING THE INFORMATION.

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

10 ~~(5)~~ (6) An elected public official, public employee, or public agency is  
11 immune from civil liability for damages arising out of any action relating to the provisions  
12 of this subsection, unless it is shown that the official, employee, or agency acted with gross  
13 negligence or in bad faith.

14 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Fiscal  
15 Services shall report to the Senate Judicial Proceedings Committee and the House  
16 Judiciary Committee, on or before July 1, 1999, on:

17 (1) The number of requests for registration statements received by local law  
18 enforcement agencies; and

19 (2) The fiscal impact on local law enforcement agencies of complying with  
20 the requests for registration statements.

21 SECTION 2- 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 1997.