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By: **Delegates Hecht, Dembrow, Grosfeld, and Genn**
Introduced and read first time: February 12, 1998
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Out-of-State Sexual Offenders and Predators - Registration**

3 FOR the purpose of requiring registration with a supervising authority of certain
4   sexual offenders and predators who, before moving into this State, were
5   required to register in another state for certain offenses occurring before certain
6   dates; and generally relating to registration requirements of certain sexual
7   offenders and predators.

8 BY repealing and reenacting, without amendments,
9   Article 27 - Crimes and Punishments
10   Section 792(a)(1) and (c)
11   Annotated Code of Maryland
12   (1996 Replacement Volume and 1997 Supplement)

13 BY repealing and reenacting, with amendments,
14   Article 27 - Crimes and Punishments
15   Section 792(a)(7)
16   Annotated Code of Maryland
17   (1996 Replacement Volume and 1997 Supplement)

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

20   **Article 27 - Crimes and Punishments**

21 792.

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

23   (7)   "Registrant" means a person who is:

24   (i)   A child sexual offender;

25   (ii)   An offender;

1   (iii)   A sexually violent offender; [or]

2   (iv)   A sexually violent predator;

3   (V)   A CHILD SEXUAL OFFENDER WHO, BEFORE MOVING INTO THIS
4 STATE, WAS REQUIRED TO REGISTER IN ANOTHER STATE FOR AN OFFENSE
5 OCCURRING BEFORE OCTOBER 1, 1995; OR

6   (VI)   AN OFFENDER, A SEXUALLY VIOLENT OFFENDER, OR A
7 SEXUALLY VIOLENT PREDATOR WHO, BEFORE MOVING INTO THIS STATE, WAS
8 REQUIRED TO REGISTER IN ANOTHER STATE FOR AN OFFENSE OCCURRING BEFORE
9 JULY 1, 1996.

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

12   (i)   Is released;

13   (ii)   Is granted probation before judgment;

14   (iii)   Is granted probation after judgment;

15   (iv)   Is granted a suspended sentence; or

16   (v)   Receives a sentence that does not include a term of
17 imprisonment.

18   (2)   A registrant shall register with the supervising authority:

19   (i)   If the registrant is a resident, on or before the date that the
20 registrant:

21   1.   Is released;

22   2.   Is granted probation before judgment;

23   3.   Is granted probation after judgment;

24   4.   Is granted a suspended sentence; or

25   5.   Receives a sentence that does not include a term of
26 imprisonment; or

27   (ii)   If the registrant is not a resident, within 7 days after the earlier
28 of the date that the registrant:

29   1.   Establishes a temporary or permanent residence in this
30 State; or

31   2.   Applies for a driver's license in this State.

1   (3)   (i)   Within 7 days after release, a child sexual offender shall also
2 register in person with the local law enforcement agency of the county where the
3 offender will reside.

4   (ii)   A local law enforcement agency may require a child sexual
5 offender to provide additional information in the registration besides the information
6 required under subsection (d) of this section.

7   (4)   When a registrant registers, the supervising authority shall:

8   (i)   Inform the registrant that if the registrant changes residence
9 address to another state that has a registration requirement, the registrant shall
10 register the new address with the designated law enforcement agency of that state
11 within 7 days after establishing the new residence;

12   (ii)   Explain the requirements of this section to the registrant,
13 including the duties of a registrant when the registrant changes residence address;

14   (iii)   Give written notice to the registrant of the requirements of this
15 section; and

16   (iv)   Obtain a statement signed by the registrant acknowledging that
17 the supervising authority explained the requirements of this section and provided
18 written notice to the registrant.

19   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 1998.