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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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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 17, 1998

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

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

10 BY repealing and reenacting, without amendments,  
11 Article 27 - Crimes and Punishments  
12 Section 792(a)(1) and (c)  
13 Annotated Code of Maryland  
14 (1996 Replacement Volume and 1997 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article 27 - Crimes and Punishments  
17 Section 792(a)(7) and (12)  
18 Annotated Code of Maryland  
19 (1996 Replacement Volume and 1997 Supplement)

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

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**Article 27 - Crimes and Punishments**

2 792.

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

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

5 (i) A child sexual offender;

6 (ii) An offender;

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

8 (iv) A sexually violent predator;

9 (V) A CHILD SEXUAL OFFENDER WHO, BEFORE MOVING INTO THIS  
10 STATE, WAS REQUIRED TO REGISTER IN ANOTHER STATE FOR AN OFFENSE  
11 OCCURRING BEFORE OCTOBER 1, 1995; OR12 (VI) AN OFFENDER, A SEXUALLY VIOLENT OFFENDER, OR A  
13 SEXUALLY VIOLENT PREDATOR WHO, BEFORE MOVING INTO THIS STATE, WAS  
14 REQUIRED TO REGISTER IN ANOTHER STATE FOR AN OFFENSE OCCURRING BEFORE  
15 JULY 1, ~~1996~~ 1997.16 (12) "Supervising authority" means:17 (i) If the registrant is in the custody of a facility operated by the  
18 Department of Public Safety and Correctional Services, the Secretary of Public Safety  
19 and Correctional Services;20 (ii) If the registrant is in the custody of a local or regional detention  
21 center, including an offender who is participating in a home detention program, the  
22 administrator of the facility;23 (iii) Except as provided in item [(viii)] (X) of this paragraph, if the  
24 registrant is granted probation before judgment, probation after judgment, or a  
25 suspended sentence, the court that granted the probation or suspended sentence;26 (iv) If the registrant is in the custody of the Patuxent Institution,  
27 the Director of the Patuxent Institution;28 (v) If the registrant is in the custody of a facility operated by the  
29 Department of Health and Mental Hygiene, the Secretary of Health and Mental  
30 Hygiene;31 (vi) If the registrant's sentence does not include a term of  
32 imprisonment, the court in which the offender was convicted;

1                   (vii)    If the offender is in the State under the terms and conditions of  
 2 the interstate compact agreements under Article 41, §§ 4-801 and 4-1201 through  
 3 4-1211 of the Code, the Secretary of Public Safety and Correctional Services; [or]

4                   (viii)    IF THE REGISTRANT MOVES TO THIS STATE AND WAS  
 5 CONVICTED IN ANOTHER STATE OF AN OFFENSE THAT WOULD REQUIRE THE  
 6 INDIVIDUAL TO REGISTER IF THE OFFENSE WAS COMMITTED IN THIS STATE, THE  
 7 SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES;

8                   (IX)     IF THE REGISTRANT MOVES TO THIS STATE FROM ANOTHER  
 9 STATE WHERE THE INDIVIDUAL WAS REQUIRED TO REGISTER, THE SECRETARY OF  
 10 PUBLIC SAFETY AND CORRECTIONAL SERVICES; OR

11                  (X)     If the registrant is under the supervision of the Division of  
 12 Parole and Probation, the Director of Parole and Probation.

13       (c)       (1)     In this subsection, "resident" means a person who lives in this State  
 14 at 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  
 20 imprisonment.

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

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

- 24                           1.     Is released;
- 25                           2.     Is granted probation before judgment;
- 26                           3.     Is granted probation after judgment;
- 27                           4.     Is granted a suspended sentence; or
- 28                           5.     Receives a sentence that does not include a term of  
 29 imprisonment; or

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

- 32                           1.     Establishes a temporary or permanent residence in this  
 33 State; or

