

---

By: **Senator Stone**  
Introduced and read first time: February 23, 2000  
Assigned to: Rules

---

A BILL ENTITLED

1 AN ACT concerning

2 **Child Sexual Offenders - Public Schools - Notice to Parents**

3 FOR the purpose of requiring certain school principals to send written notice of a  
4 registration statement of a child sexual offender to parents or guardians of  
5 students enrolled in the school; and generally relating to notice of the presence  
6 of a registered child sexual offender.

7 BY repealing and reenacting, without amendments,  
8 Article 27 - Crimes and Punishments  
9 Section 792(a)(1), (2), and (7), (c), and (g)(1)  
10 Annotated Code of Maryland  
11 (1996 Replacement Volume and 1999 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article 27 - Crimes and Punishments  
14 Section 792(g)(2)  
15 Annotated Code of Maryland  
16 (1996 Replacement Volume and 1999 Supplement)

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

22 (2) "Child sexual offender" means an individual who:

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

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

4 (iii) Has been convicted of violating § 464C of this article for an  
5 offense involving an individual under the age of 15 years and has been ordered by the  
6 court to register under this section; or

7 (iv) Has been convicted in another state, or in a federal, military, or  
8 Native American tribal court, of an offense that, if committed in this State, would  
9 constitute one of the offenses listed in items (i) and (ii) of this paragraph.

10 (7) "Registrant" means an individual who is:

11 (i) A child sexual offender;

12 (ii) An offender;

13 (iii) A sexually violent offender;

14 (iv) A sexually violent predator;

15 (v) A child sexual offender who, before moving into this State, was  
16 required to register in another state or by a federal, military, or Native American  
17 tribal court for an offense occurring before October 1, 1995;

18 (vi) An offender, a sexually violent offender, or a sexually violent  
19 predator who, before moving into this State, was required to register in another state  
20 or by a federal, military, or Native American tribal court for an offense occurring  
21 before July 1, 1997; or

22 (vii) A child sexual offender, offender, sexually violent offender, or  
23 sexually violent predator who is required to register in another state, who is not a  
24 resident of this State, and who enters this State for the purpose of:

25 1. Employment, or to carry on a vocation, that is full time or  
26 part time for a period of the time exceeding 14 days or for an aggregate period of time  
27 exceeding 30 days during any calendar year, whether financially compensated,  
28 volunteered, or for the purpose of government or educational benefit; or

29 2. Attending any public or private educational institution,  
30 including any secondary school, trade, or professional institution, or institution of  
31 higher education, as a student on a full-time or part-time basis.

32 (c) (1) A registrant shall register with the registrant's supervising  
33 authority:

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

36 1. Is released;

- 1 2. Is granted probation before judgment;
- 2 3. Is granted probation after judgment;
- 3 4. Is granted a suspended sentence; or
- 4 5. Receives a sentence that does not include a term of
- 5 imprisonment; or

6 (ii) If the registrant moves into this State, within 7 days after the  
7 earlier of the date that the registrant:

- 8 1. Establishes a temporary or permanent residence in this
- 9 State; or
- 10 2. Applies for a driver's license in this State; or

11 (iii) If the registrant is not a resident of this State, within 14 days of  
12 the date that the registrant:

- 13 1. Begins employment in this State; or
- 14 2. Registers as a student in this State.

15 (2) (i) A child sexual offender shall also register in person with the  
16 local law enforcement agency of the county where the child sexual offender will  
17 reside:

- 18 1. Within 7 days of release, if the child sexual offender is a
- 19 resident of this State; or
- 20 2. Within 7 days of registering with the supervising
- 21 authority, if the registrant is moving into this State.

22 (ii) Within 7 days of registering with the supervising authority, a  
23 child sexual offender who is not a resident of this State and who works or attends  
24 school in this State shall also register in person with the local law enforcement agency  
25 of the county where the child sexual offender will work or attend school.

26 (iii) A child sexual offender may be required to provide information  
27 to the local law enforcement agency besides the information required under  
28 subsection (e) of this section.

29 (3) If a registrant changes residences, the registrant shall send written  
30 notice of the change to the Department within 7 days after the change occurs.

31 (g) (1) (i) Within 5 days after a child sexual offender has completed the  
32 registration requirements of subsection (d)(2) of this section, a local law enforcement  
33 agency shall send notice of the child sexual offender's annual registration to the  
34 Department.

1                   (ii)       As soon as possible and in no event later than 5 working days  
2 after receiving a registration statement of a child sexual offender, a local law  
3 enforcement agency shall send written notice of the registration statement to the  
4 county superintendent, as defined in § 1-101 of the Education Article, in the county  
5 where the child sexual offender will reside, or where a child sexual offender who is not  
6 a resident of this State will work or attend school.

7                   (2)       (I)       As soon as possible and in no event later than 5 working days  
8 after receiving notice from the local law enforcement agency under paragraph (1)(ii)  
9 of this subsection, a county superintendent shall send written notice of the  
10 registration statement to those principals of the schools within the supervision of the  
11 superintendent that the superintendent considers necessary to protect the students of  
12 a school from a child sexual offender.

13                   (II)       AS SOON AS POSSIBLE AND IN NO EVENT LATER THAN 5  
14 WORKING DAYS AFTER RECEIVING NOTICE FROM THE COUNTY SUPERINTENDENT  
15 UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, A PRINCIPAL SHALL SEND WRITTEN  
16 NOTICE OF THE REGISTRATION STATEMENT TO PARENTS OR GUARDIANS OF  
17 STUDENTS ENROLLED IN THE SCHOOL.

18       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 July 1, 2000.